

PROCEEDINGS OF THE BROWN COUNTY
EXECUTIVE COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Executive Committee** was held on Monday, December 9, 2019 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, WI. (NOTE: THE BELOW MINUTES CONTAIN BOTH VERBATIM AND SUMMARY MINUTES. SUMMARY MINUTES ARE BEING PROVIDED AT THE DIRECTION OF CORPORATION COUNSEL AS VERBATIM MINUTES WERE LOST DUE TO A COMPUTER ERROR).

Present: Chair Lund, Supervisor Sieber, Supervisor Van Dyck, Supervisor Buckley, Supervisor Moynihan
Excused: Supervisor Hoyer, Supervisor Erickson
Also Present: Corporation Counsel David Hemery, Supervisors Landwehr, Tran, Brusky, Deslauries and Borchardt, Director of Administration Chad Weininger, Internal Auditor Dan Process, District Attorney David Lasee, Deputy Executive Jeff Flynt, Public Works Director Paul Fontecchio, Sheriff Todd Delain, other interested parties.

I. Call meeting to order.

The meeting was called to order by Chair Tom Lund at 5:30 pm

II. Approve/modify agenda.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to take Item 7 following Item 2.
Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/modify Minutes of October 28, 2019.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to approve. Vote taken.
MOTION CARRIED UNANIMOUSLY

Comments from the Public

Mark Berndt, 1044 Wrightstown Road, De Pere, WI 54115: I am here in regard to Item #2 on the agenda. I believe that government needs to be open, accessible and transparent. It needs to be held accountable to the people who vote, the officials in office and there is a need for openness where there is no veil of secrecy. I believe that written procedures and written checks and balances need to be open and shared and easily followed for us, and the people to be maintained. I encourage the Committee to turn around and advance this item and with it, pure guidance with written checks and balances to the full Board for approval.

Anneliese Waggoner, 121 Green Avenue, Allouez, WI 54301: I am here to speak on behalf of the League of Women Voters of greater Green Bay. The League of Women Voters supports a report that you're going to accept tonight and we hope very much that you will move it on to the full County Board. We ask you to support making an independent citizen Committee to draft a map of the County Board Supervisory Districts for approval of the County Board in 2021, following the census in 2020. We just strongly urge you to move this along to the full County Board. Thank you.

Supervisor Deslauriers read a letter on behalf of Ann Shibler, 6994 Bunker Hill Road, Greenleaf, WI 54126, a copy of which is attached.

- 1. Review Minutes of:**
 - a. Citizens Redistricting Advisory Subcommittee (October 29, 2019).**

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to receive and place on file.
Vote taken. MOTION CARRIED UNANIMOUSLY

Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

**Although shown in the proper format here, Item #7 was taken after Item #2*

Communications

3. Communication from Supervisor Deslauriers re: Pertaining to Brown County Open Records. Because the 2009 Records Retention 'Schedule A' in Brown County Ordinances does not specifically itemize if or how modern forms of communication are saved, I am requesting that Corporation Counsel draft a summary document that will specifically state how Brown County captures and retains emails, text messages, phone call records, videos, and meeting recordings. I am requesting that this summary be presented at the County Board Meeting and be published on the Brown County website.

Please include links to any policies that obligate employees and elected officials to use County owned infrastructure and devices, how open record requests are handled when County infrastructure or devices are not used for official business, and clarification on how the County captures and safeguards records that are deleted by the participant prior to the time frame specified by the records retention 'Schedule A'.

Action at August Executive Cmte: To refer to Corporation Counsel for review and recommendation and bring back results at the regularly scheduled October Executive Committee meeting. Action at October Executive Cmte: To hold until the December Executive Committee meeting.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to suspend the rules and open the floor to allow public comments. Vote taken. MOTION CARRIED UNANIMOUSLY.

Linda Clemetson, Town of Wrightstown: I have come because of the importance of transparency and not just at the federal level, but all levels of government coming down to the local level. An important part of transparency is open records and open records requests that are available to people like me, residents, citizens, tax payers, and people of Brown County. I am pretty active in my community and recently one of the issues I think you are familiar with is the digester in the Town of Wrightstown. There were a lot of us that wanted to know what was going on and transparency, that was important to us and there were open record requests at several levels, including county. Personally I did an open record request at the town level. I did receive a response in a timely manner, unlike some other people. I was quite unimpressed with the information I received. Basically it was a few emails from a lawyer and some meeting notes from the lawyer and pretty much all of the majority had. I know that the county will be involved in important ways with the digester in the future and who knows if other ways will come up, other issues I am sure will come up with the county. Therefore I was concerned, so I talked to Supervisor Deslauriers about the digester and also about the transparency and all of the ways of tax. I expected maybe phone records, text, audio, video, Facebook – who knows where it is going to go in the future. We want transparency and I was concerned so I talked to him and he thought there is a need for updating quite often guidelines for officials so that they know how to retain and safeguard their information and that they follow through on that and they take that seriously because it is very important for the residents to be able to have this open records request. That is why I came tonight and thank you for allowing me to speak.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan return to regular order of business.
Vote taken. MOTION CARRIED UNANIMOUSLY.

Corporation Counsel David Hemery gave his report to the Committee as follows: On the communication, it remains a work in progress. I started with Schedule A and went through all the chapters that deal with records retention. The public records law doesn't require governmental entities or officials to keep records, the requirements don't come from the public records law – the public records law has a requirement that once a request has been received, the documents must be kept for sixty days. If the request comes from an inmate, the documents must be kept for ninety days. The public records law itself does not have retention, those come from other parts of the statute. The current schedule A attached to Chapter 2, was the result of two years of work from a state Committee. The definition of record is broad enough to encompass items such as voicemail, text, emails, and audio/video recordings. Public records law requires a person to produce records that are responsive and in your possession at the time said person is asked for them. Entirely separate chapters of the law deal with how long a person is required to keep the records. I am going through the current Schedule A to see what is accurate, what isn't, and what may need updating as well as searching for sections that the current Schedule A may not cover. Brown County does a good job at retaining emails and any email that is sent or received on the county email is preserved for the statutory time period. In regard to texting, county devices are only used for county business. If any county business is done on a personal device, it is up to that official to preserve those items.

Supervisor Deslauriers addressed David Hemery as follows: This communication I had in April, 8 months ago, because there would be budgetary impact on correcting our records. That is not the thorough report that I expected after 8 months. The term record is more based on the substance of what the item is, not the delivery method, not the technology. So it doesn't matter whatever avenue the county uses, it's the substance of the item. If user deleted emails were deleted out of the system after six months, would that be an appropriate use of capture of records?

Corporation Counsel David Hemery addressed Supervisor Deslauriers as follows: Technology services will still preserve deleted emails.

Supervisor Deslauriers addressed David Hemery as follows: So if we were deleting those after 6 months that would be a violation of open records correct?

Corporation Counsel David Hemery replied to Supervisor Deslauriers as follows: No, that would not be a violation of open records. Open records law has no records retention requirements other than once you receive a request, you have to keep the records asked for, for at least sixty days, and if it's from an inmate, for ninety days. The open records retention policies are throughout different statutes.

Supervisor Deslauriers replied to David Hemery as follows: So if one of those statutorily protected records was deleted after six months, when the retention was to be seven or ten years, would that be appropriate?

Corporation Counsel David Hemery replied to Supervisor Deslauriers as follows: I think your question answers itself.

Supervisor Deslauriers replied to David Hemery as follows: The reason I bring that up, as recent as 2016 that is exactly what was happening at Brown County. During a discussion of an open records request with the Board of Health, the emails that were deleted after six months were no longer kept. No matter the importance, or retention, those items were gone. Deslauriers then read his handout from the Board of Health. *Please see attachment*. It would seem that we are doing things differently now, can you tell me what changed from a technology perspective? If you can.

Director Chad Weininger replied to Supervisor Deslauriers as follows: The correct process is that the software was implemented in and the emails are automatically archived when received which basically prevents an employee from deleting it and then double deleting it. With the new software, the emails are kept, it gets put in a server and goes to a handful of people that have access to it. This new software, only TS could actually do

the searches. Some offices now have the capability of doing email searches and there is a seven year retention on those emails.

Supervisor Deslauriers replied to Director Weininger as follows: Who ultimately ends up making the decision and actually doing the task of deletion?

Director Chad Weininger replied to Supervisor Deslauriers as follows: There is no deletion. At the end of the seven years the records retention is done, it's cleaned, but every employee that can search, can still find them on the server so every email is technically not deleted.

Supervisor Deslauriers replied to Director Weininger as follows: So are they stored forever?

Director Chad Weininger replied to Supervisor Deslauriers as follows: They are stored for seven years.

Supervisor Deslauriers replied to Director Weininger as follows: Okay, so that's what I am asking, is there an automatic deletion process at the end of that seven years? Because in the ordinance it calls for department heads to be doing that destruction.

Director Chad Weininger replied to Supervisor Deslauriers as follows: Yes, the department head would be August because it's under his department. I would have to ask August because I believe we haven't deleted any emails, but I can't talk to that.

Supervisor Deslauriers addressed the Committee as follows: Okay. And part of the reason I bring that up is I think you are doing a lot better with emails, but in the very recent past, we were not in a very good place and not providing open and transparent government for those who need it. I sent Corporation Counsel an open records request to and from Paul Fontecchio to and from SRF Consulting and the exact wording was "in communication to and from Paul Fontecchio and to and from SRF Consulting this would include but not limited to emails, texts, presentations and file transfers through County or external file transfer means." From January 1, 2018. Very simple request, very standard language, nothing fancy. I would ask Corporation Counsel, can you walk me through the process you took in satisfying that open records request?

Corporation Counsel David Hemery replied to Supervisor Deslauriers as follows: So a couple things; we've got public records request, we've got open meetings, so when I get a public records request and typically, I do not get public records requests, how it works, if you feel someone has a record that you want, you would make a request to that individual for that record. I often assist County Board Supervisors when they receive a public records request, because I have the capability to do the email search. Several things can happen when a request comes directly to me, if a request comes to me and is for Highway Department records, well I might respond that "no such responsive records exist in my possession." Hopefully the person would ask the Highway Commissioner. I may also take the initiative and say, "well technically I don't have these records you probably don't want to be asking me for them, I am the County Attorney, but I will assist in your case and forward your request to Highway Commissioner Fontecchio." So if I get a request for records, I could do one of those two things. In your case, I decided I would forward the request so that Mr. Fontecchio would have it, that way he can look for records in his possession and the only records that I might have are emails, okay? I would do an email search, Mr. Fontecchio would do his own personal search, because he may have a memo or a document he has just written in his desk drawer, I have no idea, I can only look at emails. So those are the two things that could happen. In this case I do believe that I forwarded that one to Mr. Fontecchio.

Supervisor Deslauriers replied to David Hemery as follows: And I did get a response from you via email, a very thorough response. What troubles me I guess and why I ask for clarification is on the policy I guess and the requirements for elected officials and employees is, my communication to you is for any communication that were forwarded on to Paul, you took care of the email. Now for instance a text message, there is no software at the county level to my knowledge that captures all of the text messages like we do emails. The fact that we do not have a mechanism like email that prevents the deletion of records by the person involved in the conversation and relying on them to give up possible career damaging information in an open records

request, I think that's ludicrous. The same could apply for Facebook messaging, a Facebook post. These are all potential records that the County does not have access to retention. All available technology, all easily available. Not difficult, it's just the will to do so. My district's main concern is open records and when there is an issue with someone in the County, the only way we can hold someone accountable is with open records. I don't believe this issue is a "receive and place on file" situation, I am requesting action on this and I will explain why I am going to ask it. I am not comfortable with the loose way of acquiring these records and not keeping anybody held accountable to them because it is so easy to eliminate the record at this point. There is no accountability, no penalty unless they are caught. Just like we did with the ADA compliance, we stopped video recording. If we did not have open records in my district, we would have never known about the non-compliance to the Landfill Agreement, we would have never have known that our former health director got ill around the wind turbines, we would have never known the manipulation of the county safety plan that was used as justification surrounding the rumble strips 65 feet from peoples' homes. Open records is the only way I can find that. There is no other district that has this same problem. I am trying to get across to you how critical this is to my constituents. I am going to ask that this is perhaps not a "receive and place on file situation", okay? I think we need to keep records retention on text used by county individuals, social media is completely absent from the radar with these requests. I am going to make the suggestion that perhaps maybe one of you consider making a motion. I do not want this simply received and placed on file, and I think I got what I need in knowing that there is no other infrastructure in capturing other forms of records. So what I am going to ask, is the following "except in the case of first responders work that directly impact the safety and security of Brown County residents, that Brown County cease all activities that create records for which it has an inadequate technical infrastructure in place to capture and safeguard the record these activities create. At this time that specifically means when and may not be limited to, suspending and disabling all social media activity, disabling texting on all county supplied devices and disabling all messaging platforms except county email." I believe that county email is the only well managed record retention and safeguarding mechanism the county has. I will yield the floor at this point.

***At this time a computer error occurred*

The County has no say in how it is regulated and the Town has no say in how it's regulated; it is all DNR control. There is going to be so much scrutiny on the project and he is fearful that we will go down a bad path for the County because we cannot effectively capture the records and it is so easy to avoid open records at this time.

Moynihan said this has been an ongoing issue and Hemery has indicated that he is still working on it. Hemery agreed and said with modern technology entering the game these are things that do need to be discussed. It was brought up that e-mails can be tracked, but some of the other forms of communication can be deleted and there is always going to be some element to that. These issues are things that counties across the state struggle with and social media does create some real records retention issues. Lund agreed and said any time there is a phone conversation, there is not a record of it. Department heads need to be able to talk to people on the phone. There are phone conversations that take place all day long that there is no recording of. There are legal requirements that things have to come to the Board for ordinances and things like that, and there are very good records of those meetings. Lund continued that there are a lot of rules and regulations regarding this and he likes the idea that all of the e-mails are kept and feels that is good and appropriate, but he does not feel it is appropriate to create a bunch of records with people on Facebook. Things like Facebook are good to get out communications to residents about certain things, but it is not good to argue about things for the County; those things should be done at meetings or through e-mail. He feels it is inappropriate to do a Facebook page on some anti-County issue.

Deslauriers said he never said we should be recording phone calls. He pointed out the County chooses to use Facebook for communications but they do not have control over who posts on the Facebook pages and those things can become records the County is obligated to keep. The County makes the decision to use the platform, but they cannot say someone cannot send a message. He agrees that this is not the platform to

have discourse, but there is no control over that. Using Facebook invites messaging that is very clearly public records if it is discussing County business. If someone posts to the Human Services Facebook page, it is not under the control of Human Services; it is a record that will now be managed to the County.

Deslauriers asked what the purpose of the software that is used to gather open records is. Hemery responded that it is used because it is cheap and easy. Deslauriers said the same software exists for social media and texting.

Weininger said not having the Technology Services Director at the meeting would be helpful. He noted that there is currently a working group working on this that was created before this issue of open records came up. That working group can meet with Hemery, Neverman and Weininger to talk more about this and look at possibilities. Weininger said they are currently working on three different policies and some of that may address this and, in addition, right now the policy for all employees is not to use their personal cell phone for County business. County provided cell phones are for official County business only. As this is work still in progress, it was suggested that this be held for 60 – 90 days.

Sieber asked if there was anything that says text messages need to be kept for a certain number of time. Hemery said if talking about a business related document in his possession, it does need to be retained and that is why employees should be using County cell phones and County e mails. He suggested that if a Supervisor receives a message on their personal cell phone or an e-mail to their personnel account, they should forward those to their County e-mail so that it can be saved. Sieber feels this needs more work because he does not feel we should stop using Facebook, twitter, texts, etc. The number one priority should be to communicate with the public and we need to find a way to make this work. He supports holding this for 90 days and said the Administration Committee can also look at this with Technology Services to see what options exist to retain the records as required.

Van Dyck informed he will support holding this and what has been brought up here is important. As a Supervisor, if you choose to use a certain platform of communication outside of County e-mail, each supervisor should be responsible for keeping track of what they choose to do or not do. He does not support shutting off the Facebook pages because there is a lot of information given out to the public through those pages. He feels if the Library posts information and someone comments on it, he feels that unless we react to the comment and transact business in regard to the comment, he questions if the comment is really a public record. If there is no conversation on the comment, to him he views the comment as just someone's opinion. Van Dyck continued that he feels the Administration Committee should look at this with Technology Services to see what needs to be done and what the cost is to retain what we need to retain.

Deslauriers said he knows for a fact from conversations with other Supervisors that records are being destroyed. When a constituent has a concern or tries to influence a Supervisor's decision in a policy, it is a record of concern or influence that needs to be retained for seven years. The concern about this not being communicated to elected officials is reflected in his communication. It is naïve to think that Supervisors are going to jump through a bunch of hoops to forward every text or Facebook message back to the County e-mail address to be retained in an appropriate fashion. It is the County's duty to safeguard the records. The importance of the record is not for Supervisors to determine; it is for the person making the request to determine. The law lays out what is important; it is not the discretionary decision of a Supervisor to delete a record. There are a number of County platforms other than e-mail that are creating records, whether we like it or not need to be kept. If someone is trying to lobby a department on social media, those records need to be kept. We do not have the control over what someone posts on social media.

Deslauriers referenced his handout and noted that the last two pages contain what the State of Wisconsin gives their employees as direction on how to keep and safeguard their records. He feels Sieber's comments speak to the fact that we need to communicate to the elected officials what the County's expectation is and what needs to be done to follow the law in safeguarding the records we create. He would ask that August Neverman opine on this and get quotes for the technology it would take to handle our social media and

phone records appropriately and he would also like to see this report come back with what we do with employee expectations so they know their obligations as he feels this is critically important so records are not lost, whether inadvertently or not. He feels we need to do a better job of capturing and training people people and setting expectations and having the simple, cheap, easy technology in place so we do not have to rely on every employee to retain their own records.

As a point of clarification, Weininger said this County Board required Supervisors to use the official County e-mail address and there are only a handful of Supervisors who are not doing that. Deslauriers said this term Supervisors are not request to do that and he does not use his. Because the County e-mail does not allow him to install OWA on his personal cell phone.

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to hold until the February 2020 Executive Committee meeting. Vote taken. MOTION CARRIED UNANIMOUSLY

- 4. Communication from Supervisor Brusky re: I request that the Brown County Board of Supervisors send a resolution to Wisconsin state legislators supporting Assembly Bill 513/Senate Bill 460 that would create a Wisconsin Prosecutor Board/Council which would promote funding and legislation that will directly affect court operations, District Attorney funding, criminal justice reform, and matters impacting incarceration issues down to the county level. *Referred from November County Board.***

Supervisor Brusky informed this Bill is concerning establishing a Prosecutor's Board and she first learned of this at a meeting of the WCA's Judicial and Public Safety Steering Committee. A copy of the Power Point presented at that meeting is attached. She feels this is very worthy and asked Brown County District Attorney David Lasee to talk about the merits of this Bill.

Lasee said the Wisconsin District Attorneys Association worked on this in the past and this was in the previous budget but was vetoed by Governor Walker. It was supported by the legislature at that time and some small modifications have been made and it has been brought back now. This would create a Board somewhat akin to what the State Public Defender's Office has that has people that can organize their program from the top down. There are 72 District Attorneys in Wisconsin with 72 voices and it is difficult to get done what they need to get done in Madison. The District Attorneys Association tries to do that, but they are a volunteer organization consisting of people whose full time jobs are running their offices. What they are looking for through this legislation is the creation of this Board with three employees and then the Board would be comprised of elected District Attorneys that would be voted on. The AG's office would also have a representative as would assistant prosecutors and eight elected DAs from across the state. This would be a group that when things like allocating additional positions or best practices statewide are being looked at there would be a Board and a voice to go to.

Lasee continued that he feels this is a great idea and informed that when the DAs became State employees in 1990 this was part of the initial legislation and at that time Governor Thompson vetoed the Board portion of it over a disagreement in terms of how the Board members would be appointed and it floundered from there. At this time they are asking for a Resolution to be drafted asking the legislators to put this in place.

Lund asked how many people have signed on to this and Brusky said there are three Senators. She also noted that the Committee on Government Accountability and Oversight met on December 4 and this was passed at that time. Senate Bill 460 is in the Insurance, Financial Services, Government Oversight and Courts Committee and a hearing has not been held as of this time. She is not aware of any other counties that have sent Resolutions in support of this. Brusky likes this because it would benefit all counties, not just Brown County.

Sieber asked why this is not being taken up or what the obstacles are. Lasee said there are some obstacles but he does not feel they are obstacles that cannot be overcome and reiterated it was in the budget and the Governor took it out. He feels one of the obstacles is that it is creating government positions and they look at the three positions associated with this. When the prosecution program was formed, there were three and a half staff positions that were allocated to the State Prosecutor's Office, but Brown County does not see any of those positions. There is one person within the Department of Administration that oversees the State Prosecutor's Office and then there are some additional administrative support. His position has always been

that this is not actually creating new positions, it is simply taking the positions that are currently in DOA that are supposed to be allocated to the program and actually allocating them to the program. Explaining that and why it is needed has been a hurdle. Some of the opposition has simply been that the elected DA's can go to lobby, but it is different. There is always an SPD representative at meetings regarding courts or criminal justice at the state level because they have people in administrative roles and they get caseload relief if they are supervisors. There are people who have no caseloads whatsoever in the SPD office who just work on the administrative functions. He does not begrudge that, but feels the DAs should also have that so they have representation in important issues in criminal justice and they do not have a voice in the room because the DA group is a volunteer group. Brusky added that sometimes it comes down to the individual Senator as well.

Van Dyck does not disagree with the importance of this, but his concern is that there were some positions that were in place that got waylaid into something else and who is to say that will not happen again. If this is implemented, those positions are not going away and the cost of these positions could be a quarter of a million dollars. He is not saying they are not important, but he struggles with sending Resolutions to Madison in isolation. He finds it difficult to tell the elected officials in Madison what the most important thing is because he does not know what that is. It is their job to determine the best use of money and it sounds like in past budgets they felt like these funds would be better spent somewhere else.

Lasee said he would like to get the fiscal note on this, but he recalls thinking there was no fiscal because the three DOA positions that exist will simply be reallocated to this program which will no longer be under the wing of DOA. This is creating a separate department using resources that are already supposed to be allocated to their program. With regard to the funds going to a different program, the goal of this Bill is to create a separate prosecution program and not have them under DOA. For years the person who oversaw the program was someone who did not have any experience in criminal justice at all. Administration does not know what the prosecutors do and therefore there is no one advocating for them at budget time because they do not understand what they do.

Van Dyck said he would be agreeable to having the resolution drafted stating the positions are being moved. Lasee responded that he will go back and read the fiscal note attached to the bill and if it is zero he will work with Corporation Counsel on a resolution. Brusky said she was unable to find any fiscal impact.

Motion made by Supervisor Moynihan, seconded by Supervisor Lund to forward communication to Corporation Counsel for drafting of a resolution and bring back to the next Executive Committee meeting and also to forward to Public Safety Committee. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **Communication from Supervisor Linssen: To review ordinances and staff duties regarding County Board control over staff handling County Board agendas and minutes to ensure the County Board still has minutes to their satisfaction, timely agendas, and access to employees whom handle both minutes, agendas and public notices. This includes job descriptions and other duties as currently handled by County Board staff to ensure the County Board is not cut out of input on future changes as staff is put under County Clerk supervision. *Referred from November County Board.***

Linssen feels his communication is self-explanatory. He would like administration to report back as to what safeguards are present and what additional safeguards this Committee could take to ensure that the County Board Chair is still able to direct some of the day to day duties of these people even though the Board is not directly supervising them.

Moynihan said this has been asked and answered on the Board floor during the budget meeting. Nothing is changing. Staff will work in concert with the Board Chair, Vice Chair and Committee Chairs. There is an ordinance with regard to minutes and he reiterated nothing will change.

Motion made by Supervisor Moynihan to receive and place on file. *No second; no vote taken.*

Lund said the County Board Chair will not have any authority over the staff at all. The County Clerk can do whatever they want with the staff. As long as they put minutes together to the satisfaction of the County

Clerk, that would be the purview under County Clerk. This does not mean that the County Board Chair will have any authority over those positions if the County Clerk does not get along with the County Board Chair.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to receive and place on file. Vote taken. Ayes: Moynihan, Sieber, Van Dyck, Sieber Nay: Buckley. MOTION CARRIED 4 TO 1

6. **Late Communication from Supervisor Borchardt re: Can we please look at having better communication when it comes to meeting dates; i.e. talking with not only staff but the rest of the committee members, calling to find out if a date does need to be changed that it works for all. I would also like to see that there is at least 2 weeks' notice unless there is some kind of emergency. This has been an ongoing issue and I would like to see this resolved before going into the new year.**

Motion made by Supervisor Sieber, seconded by Supervisor Van Dyck to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

7. **Late Communication from Aaron Linssen re: Following months of work the Citizen's Redistricting Advisory Subcommittee unanimously recommended the County Board adopt the attached Draft Ordinance and the accompanying Draft Resolution. The Subcommittee respectfully requests that the Executive Committee take these recommendations under consideration at your next scheduled meeting.**

Supervisor Linssen addressed the Committee as follows: Before you, you have the proposed redistricting ordinance and the attached resolution that came over the Board of the citizens redistricting Subcommittee. I would like to note that these are drafts at this point in time, they have not been reviewed by legal counsel or staff. I would urge that the Committee do go that route before anything is sent up to the full County Board. These are drafts that contain the essence of the decisions made by that Subcommittee. So what I would be requesting on behalf of the Subcommittee tonight, is that the Executive Committee take these matters up. I am here and I am happy to answer any questions that you may have about the process, how we got to some of the things that we got to, and what rationale is behind it. Does anyone have any questions?

Supervisor Van Dyck addressed the Committee as follows: First of all thank you to everybody that put all the work in on this. I just have a question regarding the section on drafting procedure. As it is written right now, I have some concerns or issues with it I guess, so upon a release of a necessary census data, the citizens drafting Committee and staff drafting Committee are each directed to produce two maps consistent with criteria underline on the mapping directors and so forth, so you're expecting the drafting Committee itself to create two maps?

Supervisor Linssen addressed the question submitted by Supervisor Van Dyck as follows: So the way the Subcommittee reached the agreement, is that they wanted to have both a staff group put together a few maps, and a citizens group put together a few maps. The decision was reached at each group producing two maps that they felt best represented what the district should be and then to send that forward. Does that answer your question?

Supervisor Van Dyck addressed Supervisor Linssen as follows: But who is going to do the work for the citizens group?

Supervisor Linssen addressed Supervisor Van Dyck as follows: What do you mean by work?

Supervisor Van Dyck addressed Supervisor Linssen as follows: Well somebody has to create the map, so who is going to actually sit down with the software, the information, and anything else to actually create those two maps?

Supervisor Linssen addressed Supervisor Van Dyck as follows: So we did discuss this with the Planning Department. The Planning Department essentially indicated to the Subcommittee that the technology was at a point where the layperson could essentially produce maps. That's if we did also include in the Draft

Ordinance that the Planning Department would provide technical or expert assistance with regards to those specific questions. If any arose, they would be essentially available to the Citizens Committee to provide that technical assistance if it was needed.

Supervisor Van Dyck addressed Supervisor Linssen as follows: Okay, but if the software's there that's fine, but the Planning Department doesn't put these things out in a couple of hours, so it's going to take somebody on that Committee. They don't have five people sitting around a computer terminal so it's going to take someone on that Committee a number of hours of commitment to sit down and create this map. I don't have any problems with anything else in here other than this particular section, because to me the directive from the Board to the Committee was to set up the rules. I think the rules have been established. I think the two areas as I understand of concern that were a problem the last time around were, one, taking into consideration existing Supervisor Districts which caused some problems and some angst amongst folks. That one has been addressed. The other lengthy discussion was "how many supervisory districts are we going to have?" Which created all kinds of maps and every kind of vote. So I think by setting aside and saying look, we support 26 supervisory districts, which kind of gets that one out of the way right away, which are probably two of the biggest stumbling blocks. So I don't have any problem with the maps being created and I am going back to the Citizens Group to look at and then pick one of two or four or whatever number you want to pick, but in theory, if the rules are being followed as they should be, you should be able to put four people in a room and they should all come up with a map that is somewhat similar, following the guidelines that you have been told to follow. And then have the citizens draft two and then the staff draft two and then have them all go to the Citizens Drafting Committee for them to pick one. I don't know why they wouldn't pick the one that they didn't come up with themselves. So it seems to me that the process got a little complicated here. Why don't we just say "look staff, here's the criteria – create two or four maps, bring those back to the citizens advisory Committee where it gets to review them and then make corrections or adjustments." and then they go back and eventually they pick a map to recommend to the full County Board and then the other maps just carry along like it says. I don't agree with having two different bodies drafting maps. I just think it's going to create unnecessary conflict, particularly when you've got one group creating maps that then gets to pick between the four that will pick the maps that they came up with. I am also concerned if you have someone in the Committee that has to do this, then they are going to pick someone that has the time to dedicate to it. I am not sure why we are going about that process.

Supervisor Linssen addressed Supervisor Van Dyck as follows: These aren't necessarily my positions that I am presenting to you. In fact, I think your concern is a very valid one on a personal level. However, this was a decision that the Committee made to the citizen members who are on it. I believe Supervisor Sieber can speak to this and maybe he can address his argument a little bit better. Essentially, this is what the Subcommittee as a whole recommended. I am not saying that there are no possible amendments that could be made that could maybe improve it, or change it to better suit the Board as a whole's meeting. This is what the Subcommittee decided on though by way of vote and everyone was ultimately content with the final result. I would say in regards to the individual who would be drafting or how that would work, that would be up to the Committee itself as to how it wanted to arrive at that. They would elect their own chairman and how they arrive to their decision is kind of up to the citizens, so I don't know if I can really comment on how that would end up working.

Supervisor Sieber addressed the Committee as follows: If we have staff work in conjunction with the Citizens Redistricting Committee to come up with four maps, I don't think that's the end of the world. So I don't want this whole thing to get hung up or sidetracked on one smaller point. To me the two tracks were somewhat important because in the last rung of redistricting, I have heard several stories of supervisors being way too involved in the process. So if we have two separate tracks and people weren't comfortable with having just the entire Citizens Redistricting Committee do all four maps on their own without any help, or without any planning department stuff. So, we came up with the two tracks that have the Citizens Redistricting Committee come up with two maps, the staff come up with two maps, then all four maps would go before the County Board because we wanted to make sure the County Board had options to choose from. That's not

just “this is the one map and that’s it.” We would end up with a process where you would have four hopefully independent maps going forward and moving through this process. From what I understand with the last rung of redistricting that I know for sure, Planning was threatened with privatization and I believe that was in conjunction with redistricting. So to have to put this all in one department with undue influence by supervisors is not a good thing. So that’s why I think at the end of the day, the Citizens Committee should be in charge of at least half of the maps if not all of the maps. We all unanimously agreed on these recommendations at the end of the day.

Supervisor Buckley addressed the Committee as follows: Well as one of the supervisors that was here during the last redistricting, it’s made to sound like it is very evil. We had one supervisor that I can recall that was creating issues about the redistricting. I also sat on the City Council at that time and we had the issues there. Now going through this process, Chuck Lamine and his office did a great job I think in fairly putting out the maps that we all decided on. It’s amazing when I sit here and listen to people that weren’t involved in the process tell me how the process went. It didn’t happen in my recollection. We had one supervisor that I can recall, then Board Chairman, that was having issues. In April we will elect a new Board, I don’t want to tie a new Board’s hand on how this process from here is going to go. I understand that we talked about wanting 26 supervisors, but you know what? A lot has been changed in the county over the years and we might want to change that. Some of the smaller communities have really grown. We need to look at Hobart, Howard or Lawrence. Maybe they need another supervisor. Maybe Green Bay needs one less or maybe they want to keep the same number in Green Bay and just add another Supervisor. Until we get the information, until us as supervisors have that debate; I don’t see why right now, when we have four months until that new Board is seated, we are trying to tie their hands in a process that they really have very limited control over. There is a lot that is spelled out for them already and I appreciate all of the work they have done on this so far but, we may end up with 28 supervisors the next go-around. I do not want to tie someone’s hands from not being able to do that so everybody is represented fairly. When this started, I voted against it, not against the involvement, but against the process we were going down. Maybe in May the new Board can talk about how this process is going to take place. I want to reiterate that I think the process that Chuck Lamine’s office drew, and the maps that they came up with were pretty fair and I can remember having battles with that one particular supervisor about the county and the city, and at the end of the day, the Planning Department did a great job. Things are probably going to change the next go-around because of the changes in the smaller communities and I hope that they will have more representation because there are more people living out there and there will be more in the future.

Supervisor Linssen addressed the Committee as follows: What I would say is, there is nothing that can’t be changed with the number of supervisors with this process by future County Board action. This is an ordinance, so the future Board can amend this as they see fit. This was meant to be a starting point and not meant to tie anyone’s hands. It was meant to have any future action taken on this item done so in the public eye. I think that’s the primary purpose of where this whole idea came from. I think it would be worth still adopting something at this point in time with full knowledge that the future County Board can amend it as well. Also note the way that this is written and the way that state law works is that at the end of the day, regardless of anything we put in the ordinance, the County Board that is in place at the time that the redistricting is done has full discretion to change whatever they want.

Supervisor Moynihan addressed the Committee as follows: I thought when we put together the Citizens Redistricting Advisory Committee that they were to work with the Planning Committee. With that being said, is there really a need to have another Committee *ie: Citizens Drafting Committee, Staff Drafting Committee etc* -when you already have people in a room work together openly? I will leave it at that for now, I am unsure of my position at this time.

Supervisor Van Dyck addressed the Committee as follows: I want to reiterate to Supervisor Sieber’s comments - I agree with you to a point and I think it was my understanding in looking at this, that, that was some of the things that you brought up. We were trying, or at least it appeared that the ordinance corrected,

prohibition and mapping considerations. We took out the supervisor district that was a key issue the last time around. We have an entire paragraph here on elected official behavior. I think that covers the fact that we are indicating, that we don't want any interference. I have no issue with this entire thing, but I am not going to support it if the drafting procedure stays the way it is. Logically, to me, it doesn't make any sense to have two different groups going at this. If you follow the rules that you have laid out, and you do them in that order, it should create maps that are very similar in nature. No matter who creates these maps, you're not going to sit around a computer screen with five people trying to decide where you are going to put lines. My understanding from talking to Chuck Lamine today is that when they go at it, they take two people, they put them in two separate rooms, and they tell them to each create a map. In this case, if we have a Redistricting Committee creating a map, somebody has got to get picked to go and sit in front of a computer and come up with some sort of map, and then put it in front of the other four and say "what do you think?" - I have no problem with the Committee being involved in the process and picking a map, but they're going to be able to give feedback to the Planning Department. If we can rework that paragraph I will support it, if we can't, then I am not going to at this point.

Supervisor Sieber addressed the Committee as follows: I don't know if Supervisor Moynihan feels the same way, but if the Citizens Redistricting Committee works with Planning, and I believe we had it in here that the County Supervisors are not to talk to the Planning Department about these maps, maybe the Citizens Redistricting Committee can work with Planning and cannot discuss these maps. I am thinking that is going to be acceptable to the Committee if we want to kick it back to the Committee for a final vote before sending it on to the full Board or if we want to make those changes before County Board, I am not sure, but I don't think it changes the substance drastically.

Supervisor Lund addressed Supervisor Sieber as follows: Supervisor Sieber, why don't you just put down that staff will make three maps and give them to the Citizens Redistricting Committee to make a recommendation on the one that they support and then all three maps can go to the County Board?

Supervisor Van Dyck addressed the Committee as follows: Under the drafting procedure, if you simply change the word - *upon the release of the necessary census data the citizens drafting Committee and the Staff Drafting Committee are – drop the word "each" are directed to produce a minimum of two maps consistent with the criteria – the Citizens Drafting Committee and the Staff Drafting Committee must complete this process within thirty days strike "the staff drafting Committee will send a completed maps to the Citizens Drafting Committee"* leaving the Citizens Drafting Committee must select the single map to recommend to the County Board Chair before submitting the remaining three maps or before submitting the remaining alternative maps to the County Board Chair.

Motion made by Supervisor Van Dyck, seconded by Supervisor Moynihan to approve the redistricting ordinance with those corrections to the drafting procedure section. *No vote taken.*

Supervisor Linssen requested to have the ordinance go to corporation counsel for review first.

Supervisor Lund responded to Supervisor Linssen's request as follows: We will put that right in the motion.

Supervisor Linssen replied to Supervisor Lund as follows: I just want to make it clear to the members that this has not been reviewed by corporation counsel at this point.

Supervisor Moynihan replied to Supervisor Linssen as follows: With that said Supervisor Linssen, and then bring it back to the January Executive Committee?

Supervisor Linssen replied to Supervisor Moynihan as follows: I think that would be the most appropriate. He noted: With regards to Supervisor Van Dyck's motion, the Subcommittee voted on that particular issue. That is the way it voted. With that said, the Committee has the authority to override that decision. I don't really think it's necessary to send it back to the Subcommittee because that issue is directly discussed.

Motion amended by Supervisor Van Dyck, seconded by Supervisor Moynihan to amend by Corporation Counsel reviewing the proposed redistricting ordinance and make the requested modifications to the drafting procedure section. Vote taken. Ayes: Moynihan, Sieber, Van Dyck, Lund. Nay: Buckley
MOTION CARRIED 4 to 1

Corporation Counsel David Hemery clarified with Supervisor Van Dyck as follows: It sounds that Supervisor Van Dyck, the basic idea you have is - Planning would work with the current Redistricting Committee and Planning would create a minimum of two maps. The redistricting Committee would select one of those two and make a recommendation to the Board of which one they liked better? He noted: Timelines are real tight. Once those numbers come out and our Planning Department, which would have been used to creating two maps, would now be asked to create four maps. I would just hope the Committee might hear from Director Lamine as I do not know his concerns.

Director Chuck Lamine addressed the Committee as follows: We can do two maps in thirty days, we have done in the past, two versions of five different maps in thirty days. With the Committee step in there, I am assuming you would go to the Subcommittee, to the Executive Committee and then to County Board. Thirty days is really what we have, because when we get done, we have to pass it on to the municipalities so they can work on the ward maps. So we really only have thirty days. I would just want all of those meetings scheduled in advance. We will do a timeline and we will work out the public notices in advance, but if it becomes a going back and forth between Executive Committee and the Redistricting Committee, you have thirty days.

Supervisor Lund responded to Director Chuck Lamine as follows: It won't go to the Executive Committee, it will go to the full Board. It will go from your maps in this Committee to the County Board. We will have to have the maps, then we will have a public hearing and then the next time we will approve the maps.

Corporation Counsel David Hemery addressed Supervisor Lund as follows: That timing was my concern, what is written is that all four maps would go to the County Board, and if the County Board didn't pass any of those, then they could start drafting new ones. There is no way that works in the current timelines.

Supervisor Lund addressed David Hemery as follows: It wasn't done by the timeline last time. The time before, I wasn't on the County Board, but I attended the meetings and everything was very clean, the public was notified and there weren't any issues. I don't believe the supervisors were really involved in that process. I don't remember there being a controversy over it last time. I remember one supervisor in particular was all over you guys to produce maps.

Director Chuck Lamine addressed Supervisor Lund as follows: We had a veto, we had a court challenge, there were a lot of steps and ideally we avoid all of those steps. To answer your question, I think we can do two maps within thirty days.

Supervisor Buckley addressed the Committee as follows: If supervisors are not able to talk to Chuck's office, what happens to the three supervisors that are on the Committee?

Supervisor Lund addressed Supervisor Buckley as follows: There won't be any three supervisors, that Committee is being disbanded. There won't be supervisors, it's up to the Board Chair at the time to appoint five members. This Board Chair won't appoint five members. This would be during redistricting.

Supervisor Linssen addressed Supervisor Buckley as follows: After tonight, unless this Committee or the full County Board wants the Subcommittee to meet again, then the Subcommittee isn't intended to meet again. This is intended to be the final.

Supervisor Lund addressed the Committee as follows: If we are cleaning up the language here and we are going to send this forward, once it is sent to the Board, the Redistricting Committee will receive an email that their services are no longer needed and it would thank them for attending the meetings and giving their input. This is a totally different committee then.

Corporation Counsel David Hemery addressed the Committee as follows: Just so I understand it, so the current Subcommittee would disband and the Drafting Committee would be created and there would be five members on that, so once that Committee is in place, census numbers come out, Planning would create two maps - When we say together... would Planning just create those two and four going forward?

Supervisor Lund addressed David Hemery as follows: They would create the maps and then they would meet with the group to go over criteria and why they did it etc.

Director Chuck Lamine addressed the Committee: We will need advance, go through the criteria, get our marching orders, I will assign it to two staff, they'll do a blind process and then those two independent maps will come forward to Committee.

Corporation Counsel David Hemery addressed the Committee as follows: The only other comment I have was what Supervisor Buckley mentioned regarding elected officials. Elected officials are forbidden from consulting with or discussing with the Citizens Drafting Committee or staff, any aspect of redistricting between the time of appointment and during which the final floor recommendations are received. So that would prohibit elected officials from talking to the Planning Department?

Supervisor Lund addressed David Hemery's question as follows: They can talk to the Planning Department, but not about redistricting and not about the maps. They are not going to be under undue influence by anybody on the County Board.

Corporation Counsel David Hemery replied to Supervisor Lund as follows: I don't know if that's enforceable.

Supervisor Lund replied to David Hemery as follows: Well you can look it up. Take a look at it. It has to come back to the Executive Committee.

Supervisor Linssen addressed the Committee as follows: If I may, the recommended punishment for a violation as it pertains to ethics, the Ethics Committee, I think if there was some sort of permissible reason that they were doing it or not a legal reason, I think the ethics Committee would not take any action on it. There is no specific punishment for violation of this ordinance other than referral.

Supervisor Lund addressed Supervisor Van Dyck as follows: I was on the Board last time, I never talked to you about the maps, right John? I believe that the process was that staff was supposed to develop the maps, not me. That's not my expertise.

Supervisor Buckley addressed Director Chuck Lamine as follows: Chuck was there any supervisors that call you with legitimate questions on the map?

Director Chuck Lamine replied to Supervisor Buckley as follows: Yeah, we had questions and that was not uncommon. It was more than one, we had several members that had questions.

Supervisor Buckley addressed Director Lamine as follows: Were they questions or were they trying to influence you?

Director Chuck Lamine replied to Supervisor Buckley as follows: I don't know if I would personally go that far, the questions were asked and then you showed the impact of the suggested change was made. The problem in terms of its impact on the differential was so apparent that I think they actually increased the understanding of the complications of the process.

Director Chuck Lamine replied to Supervisor Lund as follows: Yes, the population that we were shooting for last time was three percent, I think the law gives us four percent and we were able to do that with the options that we were able to bring forward.

Supervisor Lund addressed Director Lamine as follows: We discussed that as the Redistricting Committee - one of the most important things was that we stayed within three percent deviation. We have all the other criteria in there because we have the thing about neighborhood associations and it would be nice not to cut the neighborhood associations as much as they have been in the past, but the standard deviation is obviously the most important goal of the mapping process.

Director Chuck Lamine addressed the Committee as follows: And if I could, if you are going to send this back to Corporation Counsel, there are some concerns I have with some of the directives. In just in terms of its impact on complicating the map, presses one, which is the rural vs urban interests. There may be kind of an education process that we go through. The neighbor associations may be a real challenge for us. The standard deviation would be the most important.

Supervisor Van Dyck addressed Director Lamine as follows: Chuck, in regards to the rural vs urban interests, I think if you back up to number four which is municipal boundaries; I think if we stick with the municipal boundaries, that to me is the key.

Supervisor Lund addressed the Committee as follows: I understood that the clerks in each of the municipalities don't want to have as many ballots. That was a concern of mine that we make it the easiest for municipalities that they don't have as many ballots out there. Then you'll have elections where it is very difficult for the volunteers to get people the right ballot.

Corporation Counsel David Hemery addressed the Committee as follows: In mapping directives, those are items that should be prioritized it says, as indicated, defining rural and urban could be difficult. Racial and ethnic groups to my knowledge after the last census there was either one or two areas in Wisconsin where that would apply to redistricting. So we want that to be a priority.

Supervisor Lund addressed David Hemery as follows: We won't know till after the census, but if there is a population in an area in Brown County that is mostly minority we would probably want to look at that but, obviously the standard deviation is the most important part of the process. We just want to have the mapping people take that in to consideration if there is.

Corporation Counsel David Hemery addressed Supervisor Lund as follows: So I want to bring this back to write, are there areas to be taken in to consideration and maybe put those in, instead of saying that we should prioritize?

Supervisor Van Dyck addressed the Committee as follows: I thought that based on the way they were listed, I thought they were prioritized, but it says "should be prioritized in no particular order". You have to have some kind of prioritization in here because I am assuming that equal population is obviously first and foremost. To me, they seem to be in an order that was prioritizing, which I guess I was fine with the way they were and the way I read it. I think that should be cleaned up or changed as well. Just say mapping objectives should be prioritized in "this order" take out the "no particular order" to me, that is just wide open.

Supervisor Lund addressed Supervisor Van Dyck as follows: Well equal population is the most important thing.

Supervisor Van Dyck addressed Supervisor Lund as follows: Yes, but that's not what it says.

Supervisor Lund addressed Supervisor Van Dyck as follows: But that is the order that it's in. If you have a deviation in the population then they can come back and sue.

Corporation Counsel David Hemery addressed the Committee as follows: That gives me some direction, the other one in that section, Supervisor Buckley mentioned the 26 supervisory districts should that be a priority here? Do we want to mention the number of Supervisors? What are we looking at?

Supervisor Lund addressed Director Lamine as follows: The numbers are probably going to be about 260,000 people right Chuck?

Director Chuck Lamine replied to Supervisor Lund as follows: I think it will be north of that.

Supervisor Lund addressed Director Lamine as follows: So about 10,000 people per Supervisor if you keep at 26. When you get the census data it is going to be something that the Supervisors are going to have to figure out.

Director Chuck Lamine replied to Supervisor Lund as follows: If it stays at 26, we would shoot to give you a map with the substandard deviation requirements at 26. If we get in to that exercise and we can't do it then the numbers would change.

Corporation Counsel David Hemery addressed the Committee as follows: That helps greatly, I would be able to bring something back that helps on the ordinance. I just wanted to mention that there is also an accompanying resolution. As the resolution reads it would be to pass an ordinance. Why would we need a resolution on that?

Supervisor Moynihan addressed the Committee as follows: I would send the whole thing back.

Supervisor Lund addressed David Hemery as follows: We will have it all sent back to next month.

Corporation Counsel David Hemery addressed the Committee as follows: You want a separate resolution to say that we resolve an ordinance and then they vote?

Supervisor Lund replied to David Hemery as follows: Yeah, I think so.

Supervisor Linssen addressed the Committee as follows: There were a few lines in there that were slightly different I understand. The Subcommittee wanted a resolution for the purposes of making it clear that this was the intents of the ordinance. I understand that a lot of the stuff is kind of duplicated in the ordinance itself but that doesn't preclude additional language being added or taken out of the resolution.

*At this time, a vote on the motion was taken.

Internal Auditor

8. Board of Supervisors Budget Status Report (unaudited) - October 31, 2019.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

9. Veterans' Recognition Subcommittee Budget Status Report (unaudited) – October 31, 2019.

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

10. 2019 Status Update: October 1 – November 30, 2019.

Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Corporation Counsel

11. Oral Report (discussion of request for refugee resettlement and handout).

Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to refer the letter from Executive Streckenbach, including the background sheet, to Corporation Counsel to draft a Resolution, including both attachments, for County Board approval at the next County Board meeting. *No vote taken.*

Motion by substitution made by Supervisor Sieber, seconded by Supervisor Van Dyck to amend the last paragraph of the County Executive's letter to read: This consent is valid through 2020, and is accepting approximately 20 refugees for resettlement in Brown County, Wisconsin. Vote taken. Ayes: Lund, Sieber, Van Dyck Nays: Moynihan, Buckley MOTION CARRIED 3 TO 2

Motion made by Supervisor Sieber, seconded by Supervisor Lund to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to suspend the rules to take Items 15 through 19 following Item 12 and to take Item 22 following Item 24. Vote taken. MOTION CARRIED UNANIMOUSLY

Resolutions, Ordinances

12. Resolution in Support of Strategies to Reduce Youth Vaping.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Although shown in the proper format here, Items 15 – 19 were taken at this time.

13. Resolution Authorizing the Addition of County Highway TS to the County Trunk Highway System, in the Village of Hobart, Wisconsin.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to approve. *No vote taken.*

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to suspend the rules to take Item 22 at this time. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Van Dyck, seconded by Supervisor Sieber to refer Resolution without recommendation to the County Board. Vote taken. Ayes: Sieber, Van Dyck, Lund Nays: Buckley, Moynihan. MOTION CARRIED 3 to 2

14. Resolution Authorizing County Trunk Highway Jurisdictional Revisions on County Highway VV (Triangle Drive), in the Village of Hobart, Brown County.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to refer Resolution without recommendation to the County Board. Vote taken. MOTION CARRIED UNANIMOUSLY

15. Resolution Regarding Table of Organization Change for the Sheriff's Department – Office Manager II.

Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to suspend the rules to take Items 15, 16 and 17 together. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Buckley, seconded by Supervisor Sieber to approve Items 15, 16 and 17. Vote taken. MOTION CARRIED UNANIMOUSLY

16. Resolution Regarding Table of Organization Change for the Sheriff's Department – Evidence Positions.

See action at Item 15 above.

17. Resolution Regarding Table of Organization Change for the Sheriff's Department – Evidence/Property Specialist.

See action at Item 15 above.

18. Resolution to Ratify the 2020-2021 Agreement Between Brown County and the Brown County Sheriff's Department Non-Supervisory Employees (Proposed Resolution to be handed out at meeting).

Motion made by Supervisor Sieber, seconded by Supervisor Buckley to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

19. Resolution to Ratify the 2020-2021 Agreement Between Brown County and the Brown County Sheriff's Department Supervisory Employees (Proposed Resolution to be handed out at meeting).

Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

At this time the Committee returned to Items 13 and 14.

Department of Administration & Human Resources

20. Director of Administration Report.

No report; no action taken.

21. Human Resources Report.

No report; no action taken.

Closed Session

22. Deliberating and Negotiating Property Acquisition per the VV Interchange Municipal Project Agreement (MPA).

- a. Open Session: **Motion and Recorded Vote** pursuant to Wis. Stats. Sec. 19.85(1), regarding going into closed session pursuant to Wis. Stats. Sec. 19.85(1)(e), i.e., for deliberating and negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, in particular, for deliberating and negotiating property acquisition per the VV Interchange MPA.

Motion made by Supervisor Sieber, seconded by Supervisor Moynihan to enter into closed session. Roll Call Vote Taken: Ayes: Lund, Moynihan, Van Dyck, Sieber, Buckley. **MOTION CARRIED UNANIMOUSLY**

- b. Convene into Closed Session: Pursuant to Wis. Stats. Sec. 19.85(1)(e), the governing body shall convene into closed session for purposes of deliberating and negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, in particular, for purposes of deliberating and negotiating property acquisition per the VV Interchange MPA.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to return to open session. Roll Call Vote Taken. Roll Call Vote Taken: Ayes: Lund, Moynihan, Van Dyck, Sieber, Buckley. **MOTION CARRIED UNANIMOUSLY**

- c. Reconvene into Open Session: The governmental body shall reconvene into open session for possible voting and/or other action regarding property acquisition per the VV Interchange MPA.

At this time discussion continued on Item 13. Sieber indicated he would not support the resolution due to past practice of following the municipality's wishes. Buckley said that he believes that the County Executive must get involved with both Hobart and the Oneida Nation to come to a common ground.

Motions were made on Items 13 and 14 at this time; see above.

County Executive - No report.

Other

23. Audit of the bills.

**Motion made by Supervisor Moynihan, seconded by Supervisor Van Dyck to approve the bills. Vote taken.
MOTION CARRIED UNANIMOUSLY**

24. Such other matters as authorized by law. None.

25. Adjourn.

Motion made by Supervisor Buckley, seconded by Supervisor Van Dyck to adjourn at 10:11 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Recording Secretary/Transcriptionist

Baili Schreiber
Deputy County Clerk/Transcriptionist

Executive committee meeting on open records

AS Ann

Mon, 09 Dec 2019 11:33:54 AM -0600

To "'Steve Deslauriers"' <steve@stevedforbc.com>

Tags Security  Plain [Learn more](#)**Dear Supervisor Deslauriers,**

I planned to attend this evening's meeting, but due to a family medical emergency, I now cannot. Would it be possible for this email to be presented to the Executive Committee members?

On the agenda for the Executive Committee's meeting this evening, Dec. 9, 2019, a discussion on open records retention and compliance will take place. As discussed earlier this summer with you, because of the manure digester meetings in the Town of Wrightstown that clearly indicated some County involvement, the open records request process is an important issue for me.

Sadly, the entire process seems to have become politicized. Much more care needs to be taken in fulfilling open records request in a more courteous and nonpolitical manner. And now, with advances in technologies, especially cell phone calling and texting, it's far too easy for officials to "get away" with correspondence on town or county or state matters as circumventing the rules and regulations is easier to hide.

I'd like your committee to know that better management, longer retention of records, faster response times within a nonpolitical framework, and education at the County level of a standardized and uniform system so all officials in whatever capacity know and understand the rules and consequences of failure of fulfillment would certainly be a fair and just way of keeping government transparent. It's so important to taxpayers

Ann Shabler
Brown County taxpayer
6994 Bunker Hill Rd.
Greenleaf, WI 54126

Comments
from the
public

Excerpt from 1-12-16 Board of Health Meeting Minutes

Jay Tibbetts: I have a question that might be directed to Juliana. Um, the Board has, ah, been requested, ah, to provide information, ah, on a open records law. Ah, Patti, do you want to explain that request?

Patti Zich: Um.

Jay Tibbetts: Okay. I'll take care of it. Patti sent an email that said please provide any email interaction with Chua and um, the individual board members and I'm thinking what's this all about. I mean, why can't Chua, ah, why can't they get whatever they need, ah, from Chua. Why, and and. And your request was to print and send it. I mean, how, you know, we're going pony express here pretty soon.

Patti Zich: Um, our tech. **The way I understand it, our tech, if, if a email is deleted, it stays on the system for 6 months.** The request that was given to us was for a period longer than 6 months and you were included in that request and I don't have access to, um, the period before the six months.

Jay Tibbetts: Well, it can't be. This, it can't be...

Richard Schadewald: Do you know what he's talking about? **Chua Xiong:** Open records.

Juliana Ruenzel: Open records request. When they, we get open records requests, we have to fill them. If they are from computers that are not county computers, there is not a guarantee that we can get that information. So she's probably asking you for that information. We only have access to what's in our system and if you have stuff beyond that, you are subject to supply that under the open meetings, open records law. So, what she's asking you to do is supply your information that had anything to do with correspondence, was it dealing with the Shirley Wind or was it just correspondence. I can't.

Jay Tibbetts: I think it was all correspondence. Yeah.

Juliana Ruenzel: Yeah. With Chua, um, and if I remember, there is like four, I've got right now; four open records requests going so I am getting them confused. You do have to supply her with those. Do you want to do it electronically, go ahead. But, we will have to print them, out, whether you, whether you think its pony express or not, we have to print them out and then I, or Chua, or Patti, will have to read every single one of those and then we have to determine whether something's exempt from release or not. And, then after we determine that, we, if we determine something has to be redacted, we have to redact the document and then recopy it and then put it back into the system so that we can give that person the open records requests. It is a long process, especially when people ask for emails and correspondence in that respect, because emails are so widely used.

Jay Tibbetts: Yeah.

Juliana Ruenzel: You get thousands and thousands of emails. So, I expect that this will be probably be a really large request. But she is asking you for that. **You are subject to the open meeting law when you deal with anything to do with this Board or with the business of the County and you are subject to supply that.**

Jay Tibbetts: Well, my question is. Everybody has, um, an Inbox on their computer. Ah, I know you said that it goes back to just 6 months and it's someplace it's deleted or whatever but for 6 months one could use Chua's computer and find out everybody the, the members here, whether they sent something or not. Could they not?

Juliana Ruenzel: They don't go through Chua's computer. They go through the IT Department and the IT Department has to pull everybody's individually. It is very time consuming. And then they have to go through everything to make sure that they got everything, put them in folders, but again, **like Patti was saying, there are limits because the system that they have drops everything off.** So at this point...

Jay Tibbetts: **But it's gotta be someplace.**

Juliana Ruenzel: **No. Eh-huh. Not necessarily.**

Jay Tibbetts: So, what about Hillary's?

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Juliana Ruenzel: I can't answer about Hillary.

Jay Tibbetts: So, I mean.

Juliana Ruenzel: You better ask Hillary that.

Jay Tibbetts: **It, it, its, it's just mind boggling, that first, that, that, they are not there after six months,** they're in the cloud or in the sky or struck by lightning or whatever.

Juliana Ruenzel: **You'll have to ask IT that. All I know is that, that's what I, I'm not an IT person. I don't even care for computers but I can just tell you that this is what IT tells us. And that's what they told Patti as well. They only can go back 6 months because that's all they have. The system basically loses them, deletes them, I don't know what they do but they can't go back beyond that.**

Susan Paulus-Smith: What is the time frame that they are expecting to have this? **Juliana Ruenzel:** It's like a, I'm sorry to give it or...

Patti Zich: It varies.

Susan Paulus-Smith: Well, to obtain it and then to...

Juliana Ruenzel: Okay. We can't set a specific time frame. Only because we don't know the volume.

Susan Paulus-Smith: Sure.

Juliana Ruenzel: At this point in time

Susan Paulus-Smith: [inaudible] Could be anywhere from. I mean, I'm just trying to grasp.

Juliana Ruenzel: **Um, I've done 1,000 page open records requests and it's taken at least 6 weeks to do.** Because by the time they find the documents, and this actually was emails, by the time they find the documents and then they send them to me and then I have to print every single one out, and then I have to review every single one and then start a list of what has to be redacted and then, you know, count all the things, it took at least 6 weeks to do 1,000 pages um, and that's basically doing open records requests.

Jay Tibbetts: So this is basically on the honor system? Or, how does this work, I mean. Ah, I know what I've got on computer. I know what I deleted. **Ah, it, it just doesn't make sense to me that this isn't accessible from a different, from a, from a single spot.**

Juliana Ruenzel: **Well, I would ask that you inquire of August Neverman, who is the IT gentleman, who has also informed, as well as Patti that they can only go back 6 months.** So if you have issues or if you have questions, I think you need to address them to him because I cannot....

Richard Schadewald: He's the IT guy.

Juliana Ruenzel: I can't answer your IT questions.

Jay Tibbetts: Alright.

Juliana Ruenzel: All I can tell you is Patti was doing what she was obligated to do under the law.

Jay Tibbetts: Okay, well, I'm still saying pony express.

Juliana Ruenzel: Some things still are.

Jay Tibbetts: Okay, anything else under other business authorized by law. Okay. Number 11.

year. However, if the County Department is awarded such funding, the appropriate Standing Committee of the County Board and the County Board shall have full authority to accept or decline the award through the established budget adjustment process. Additionally, County Departments shall report to the appropriate Standing Committee regarding the status of grants approved as part of the County's annual budget.

3.13 INVESTMENT OF COUNTY FUNDS BY COUNTY TREASURER. (1) The County Treasurer is hereby authorized to invest county funds with the same authority and in the same manner in which they could be invested by the County Board pursuant to s. 66.04(2), Wis. Stats.

(2) The County Board shall annually review the County Treasurer's exercise of this authority. The County Board may delegate this reviewing authority to one of its standing committees.

3.14 BUDGET TRANSFERS. Deleted as per the March County Board on 3-19-14.

3.15 RETENTION AND DESTRUCTION OF COUNTY RECORDS. (1) Purpose. It is the intent of this section and Schedule A, below, to describe the time of retention and appropriate method for destruction of records maintained by various Brown County offices and agencies. The oversight committee of each office or agency, in consultation with the Department Head, shall have supervisory authority over the destruction of the agency's or office's records. This subsection is authorized by Section 19.21(5) and 59.52(4), Wisconsin Statutes. All offices and agencies of Brown County will adhere to this ordinance, §48.396, Stats. and any other applicable Federal or State Law that pertains to record retention, record confidentiality and record destruction.

(2) Obsolete Record Not Listed. Any record not identified in Schedule A must be retained for seven years. If an agency or office of Brown County wishes to destroy obsolete records which are not listed in Schedule A, the agency or office shall first obtain permission to destroy the records from the agency's oversight committee. Otherwise, this section and Schedule A shall determine how records of Brown County offices and agencies are to be maintained and destroyed.

(3) Historical Records. This ordinance acknowledges that the State Historical Society of Wisconsin (SHSW) has an interest in all records prior to destruction. The State Historical Society of Wisconsin has waived the required statutory 60-day notice in accordance with §19.21(5)(d), Stats., for any record marked "W" in the "Remarks" column of Schedule A. SHSW must be notified prior to destruction of any record not marked with a "W" or any record not listed in Schedule A.

(4) Microfilm, Optical Disk Storage or Electronic Records. Any record may be converted to a microfilm record in accordance with §16.61(6), Stats., or an optical disk storage record or electronic record in accordance with Sections 16.61(6) and 16.612, Stats. The procedures outlined in Chapter Adm. 12, Wis. Adm. Code for electronic record management, and in PR 1, Wis. Adm. Code for microfilm standards must be followed. After verification, paper records converted to microfilm, optical disk or electronic format should be destroyed, and the microfilm, optical disk or electronic record is deemed an original record if it meets the standards set forth by the Public Records Board in accordance with §16.61(7), Stats. The retention periods in Schedule A apply to records in any form of media.

(5) Destruction After Request for Inspection. No requested record may be destroyed until after the request is granted or 60 days after the request is denied. If an action is commenced under §19.37, Stats., the requested record may not be destroyed until a court order is issued and all appeals have been completed. See §19.35(5), Stats.

(6) Destruction Pending Public Record Request, Litigation or Audit. No record subject to a pending public record request, litigation or audit shall be destroyed until the public record request, litigation or audit has been resolved in accordance with §19.35(5), Stats.

3.16 DISPOSAL OF ABANDONED PROPERTY. The County, pursuant to Section 66.28, shall dispose of all abandoned property by auction or:

- (1) Donation to another county agency, board, commission or office.
- (2) Donation or sale to a different entity of local government located within Brown County.
- (3) Donation to a charitable organization.
- (4) Receipt of proposals to purchase.
- (5) Destruction of the property, if deemed appropriate.

3.17 COUNTY PAYMENT OF ATTORNEY FEES AND RELATED EXPENSES. (1) This section applies where the defendant in any action or special proceeding is a public officer or employee of Brown County and is proceeded against in an official capacity or is proceeded against as an individual because of acts committed while carrying out duties as an officer or employee of the county and he or she was acting within the scope of employment. Regardless of the results of the litigation the county, when it does not provide legal counsel to the defendant officer or employee, shall pay reasonable attorney's fees and costs of defending the action, unless it is found by the court or jury that the defendant officer or employee did not act within the scope of employment. Failure by the officer or employee to give notice to his or her Department Head of the action or special proceeding commenced against the defendant officer or employee as soon as reasonably possible shall be a bar to recovery by the officer or employee from the county of reasonable attorney's fees and expenses shall not be recoverable if the county offers the officer or employee legal counsel and such offer is refused by the defendant officer or employee.

(2) Whenever charges of any kind are filed or an action is brought against any officer of Brown County in his or her official capacity, or to subject any such officer to a personal liability growing out of the performance of official duties, and such charges or such action is discontinued or dismissed or such matter is determined favorably to such officer, or such officer is reinstated, or in case such officer, without fault on his part, is subjected to a personal liability as aforesaid, the county may pay all reasonable expenses which such officer necessarily expended by reason thereof. Such expenses may likewise be paid, even though decided adversely to such officer, where it appears from the certificate of the trial judge that the action involved the constitutionality of a statute, not previously construed, relating to the performance of the official duties of the officer. Payment under this subsection (2) is discretionary with the County Board. The officer or employee shall notify his or her Department Head as soon as

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<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
County Clerk	*State Historical Society Records Retention Schedule governs the retention and destruction of County Clerk Records.			
County Board	1. Minutes	Microfilm to 1979	Indefinite	
	2. Resolutions, Reports	Microfilm to 1979	59.716(3), 6 years	
	3. Committee, Board & Commission Minutes	None	Indefinite	
	4. Weekly Meeting Notices	None	Indefinite	
Finance Dept. Books of Original Entry	1. General Ledger	Microfiche	15 years	Ledger cards prior to 1986
	2. Trial Balance	None	Until audited only	Prior to 1986
	3. Receipts Journal	None	15 years	
	4. A/P Voucher Register	None	15 years	On microfiche after 1986
	5. General Journal	None	15 years after 1986	3-ring notebooks
	6. Journal Voucher	None	15 years	
	7. Appropriation Journal	None	15 years	Part of Acct. Master & Computer Printout
Finance	8. Voucher (Source Document)	None	15 years	

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Finance Dept. Budgets & Audits	1. Budget Worksheets	None	3 years	
	2. Final Adopted Budget	None	Retain permanently	Previous year on computer
	3. Audit Reports	None	"	Balance on hard copy
	4. Indirect Cost Plan	None	7 years	
Finance Dept. Long Term Debt	1. Cancelled Bonds, Coupons & Promissory Notes	None	7 years after maturity	
	2. Bond and Coupon Records	None	"	
Finance Dept. Miscellaneous	1. Interim Financial Reports	None	Until audited	Prior to 1986 hard copy only
	2. Annual Financial Reports	None	Retain permanently	1986 & forward-computer tape; current & previous

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	3. Duplicate Receipts of	None	7 years	Section 59.715, Stats.
	4. Duplicate Checks	None	7 years	
	5. Contracts & Leases of	None	7 years after expiration	Section 59.715(10), Stats.
	6. Bids & Quotes	None	7 years after the last effective day thereof	
	7. Invoices/Vouchers & All Other Supporting Document Pertinent Thereto	None	7 years	Section 59.715(10), Stats.
	8. Check Register	None	7 years	1986 & after on microfiche
	9. Purchase Orders	None	7 years	
	10. Purchase Requisitions	None	Until Audited	
	11. Accounts Receivable	None	7 years	
	12. Employee Time Sheets	None	2 years	
	13. General Correspondence	None	10 years	

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Finance (con't)	14. Notice of Tax Apportionment from State	None	3 years	
	15. Copies of Notices of Tax Apportionment Sent to Local Taxing Districts	None	3 years	
	16. Illegal Tax Certificates Charged Back to Local Taxing Districts	None	3 years after date of charging back	Section 59.715
	17. Claims Paid by County & Supporting Papers	None	7 years	"
	18. Insurance Policies & Claims	None	7 years after the last effective day thereof	"
Finance Dept. Payroll	1. Payroll Support Records	None	5 years, provided record is audited Require Retention for 5 years; Wis. Adm. Code, Sec. Ind. 72.11 requires a 3-year retention period	Internal Revenue Code Regulations
	2. Payroll Withholding Allowance Certificate (IRS W-4)	None	5 years, provided record is audited	"

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Finance Payroll (con't)	3. Payroll Wisconsin Withholding Certificate (WI-4)	None	5 years, provided record is audited	"
	4. Payroll Employee Earnings Record Time Cards	None	5 years, provided record is audited	"
	5. Payroll Posting Register and Audit Listing	Microfiche	5 years, provided record is audited	"
	6. Payroll Check & Earnings Register/Bank Register	Microfiche	5 years, provided record is audited	"
	7. Payroll Earnings and Deduction Registers/ Deduction Repts.	Microfiche	5 years, provided record is audited	"
	8. Payroll Vacation/Sick/ Personal/Casual Days Accrual and Posting Registers	Microfiche	5 years, provided record is audited	"
	9. Payroll Wage and Tax Statements (IRS Form W-2)	Microfiche from IRS	5 years, provided record is audited	"

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10.	Payroll Wage and Tax Statements (Wisconsin Form WT-9)	None	5 years, provided record is audited	"
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Finance Payroll (con't)	11. Payroll Annual Earnings and Deduction Register	None	5 years, provided record is audited	"
	12. Payroll Wisconsin Income Tax Withheld (Form WT-6)	None	5 years, provided record is audited	"
	13. Payroll Wisconsin Annual Reconciliation of Taxes (WT-7)	None	5 years, provided record is audited	"
	14. Payroll Federal Deposit Tax Stubs (IRS Form 501)	None	5 years, provided record is audited	"
	15. Payroll Quarterly Report of Federal Income Tax Withheld (IRS Form 941 E)	None	5 years, provided record is audited	"
	16. Payroll Annual Report of Federal Income Tax Withheld (IRS Form W-3)	None	5 years, provided record is audited	"
	17. Payroll WRS Employee Transaction Report	None	5 years, provided record is audited	"

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	(Form ET-2533)			
18.	Payroll WRS Monthly Remittance (WRS Form ET-1515)	None	5 years, provided record is audited	"

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Finance (con't)	19. Payroll SS Monthly Remittance (WRS Form ET-1510)	None	5 years, provided record is audited	"
	20. Payroll Social Security Annual Report of Wages (WRS ET-1512)	None	5 years, provided record is audited	"
	21. Payroll Social Security Annual Reconciliation of Wages (WRS Form ET-1511)	None	5 years, provided record is audited	"
	22. Payroll Transmittal Report of Magnetic Media Filing (IRS Form ET-1511)	None	5 years, provided record is audited	"
	23. Payroll Employer Summary of Form W-2 Magnetic Media Wage Information (IRS Form 6560)	None	5 years, provided record is audited	"
	24. Payroll Pay Period	Microfiche	5 years, provided	"

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	Account Distribution		record is audited
25.	Payroll Annual Report of Account Distribution	Microfiche	5 years, provided record is audited

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Library	1. Receipts of any nature	None	7 years	Sections 59.715 & 59.73,
	2. Contracts & Leases of any Nature	None	7 years	Section 59.715(10), Stats.
	3. Invoices 59.715(10), Stats.	None	7 years	Section
	4. Purchase Orders	None	7 years Stats.	Section 59.715(10),
	5. Bids and Quotes	None	7 years Stats.	Section 59.715(10)
	6. Accident Reports	None	3 years	
	7. Employee Time	None	2 years	
	8. General Correspondence	Microfilm or Microfiche	10 years	

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Park	1. Receipts of any nature	None	7 years	Section 59.715 & 59.73, Stats.
	2. Contracts & Leases of any Nature	None	7 years	Section 59.715(10) Stats.

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<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Park (con't)	3. Invoices	None	7 years	Section 59.715(10), Stats.
	4. Purchase Orders	None	7 years	Section 59.715(10), Stats.
	5. Bids & Quotes or Film	Microfiche	7 years	Section 59.715(10) Stats.
	6. Accident Reports	None	3 years	
	7. Employee Time Sheets	None	2 years	
	8. Park Reservation Books	None	2 years	
	9. Licenses &	Microfiche	6 years	

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	Permits	or Film	
10.	General Correspondence	Microfiche or Film	10 years

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Personnel	1. Employee Personnel File	Original Record	7 years after separation from Employment	
	2. Applications (nonemployees)	"	1 year except where eligibility list remains active	
	3. Examination Results	"	3 years	
	4. EEO-4 Reports	"	"	
	5. Absentee and Leave Records	"	"	
	6. Job Announcements	"	"	
	7. Job Postings	"	5 years	
	8. Job History	"	7 years after separation from employment	

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Register of
of Deeds

State Historical Society Records Retention Schedule governs the retention and destruction of Register Deeds
Records

Sheriff	1. "Overtime Earned" Card	Microfiche, Film or Electronic Scan	One Year	W
	2. "Officers Time Off Request" Card	Microfiche, Film or Electronic Scan	One Year	W
	3. Call Card	Microfiche, Film or Electronic Scan	Six Months	W

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Sheriff (con't)	4. Sheriff-Traffic Dept. Officer's Daily Report	Microfiche, Film or Electronic Scan	One Year	W
	5. Wis. Motor Vehicle Accident Report MVD 4,000	Microfiche, Film or Electronic Scan	One Year	W
	6. Criminal Complaint Form	Microfiche, Film or Electronic Scan	Two Years	W
	7. Criminal Investigation Case File except Intentional Homicide & Sexual Assault of a Child	Microfiche, Film or Electronic Scan	Two Years	W
	8. Intentional Homicide and Sexual Assault of a Child Case Files	Microfiche, Film or Electronic Scan	Indefinite	W

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9.	Miscellaneous Administrative Records such as correspondences	No Preservation	One Year	W
10.	OWI Tracking Reports	No Preservation	7 Years	
11.	Civil Process Files	No Preservation	One Year	

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<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Sheriff (con't)	12. Miscellaneous Financial Records	No Preservation	7 Years	
Sheriff/Jail Division	1. Jail Registrar- "Sheriff's Dockets"	No preservation	8 years - required by Section 59.27(8), Stats.	W
	2. Daily Jail Record Log	Microfiche, Film or Electronic Scan	8 years - required by Section 59.27(8), Stats.	W
	3. Jail Money Account Cards for each Prisoner	No preservation	8 years - required by Section 59.27 (8), Stats.	W
	4. Jail Booking Cards	No preservation	6 years	W
	5. Jail Prisoner Individual Files (containing all information concerning prisoner upon release, includes booking cards,	Microfiche, Film or Electronic Scan	6 years from date of release	W

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	medical reports, correspondence, visits, miscellaneous)				
6.	Huber Sign Out Sheet	No preservation	2 years		W
7.	Jail Food Menus	No preservation	60 days required by Sec. DOC 346.14 W.A.C.		W
8.	Jail Space Plan	No preservation	2 years		W

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<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Sheriff/Jail Division	9. Report of Property & Damage to Jail	Microfiche, Film or Electronic Scan	2 years	W
Social Services	1. Income Maintenance Records	None	6 years after last closure, pursuant to Sec. 59.715, Wis. Stats.	All data forms, Services case determination sheets; worksheets; and HSS 245 Wis. Admin certification sheets; Code verification sheets; correspondence; other documents needed to support Income Maintenance agency decisions relating to eligibility for public assistance programs.
Social Services	2. Juvenile Court	None	Until Juvenile reaches age 19, pursuant to Sec. 19.21(6), Stats.	Intake Register Information Sheet Order for Hearing

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Petition for Deter-
 mination of Status
 Order for Supervision
 Order Terminating
 Supervision
 Letter from Law
 Office to Parents
 for Hearing Date
 Letter to Welfare
 Department for
 Restitution
 Juvenile Referral
 Sheet
 Wisconsin Juvenile
 Court Social Data
 Card Report of
 of Disposition
 to Referring Law
 Enforcement Agency
 Personal and Family
 Data Sheet Initial
 Contact Sheet School
 Reports Child Welfare
 Action Sheet Intake
 Decision Sheet Law
 Enforcement agency
 referrals, forms, etc.
 Correspondence

Various Court forms
 (summons, orders,
 petitions, etc.)
 Commitment Data and
 Supplementary
 formation
 Case narrative
 Social & Economic
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3. Social Service Records, except juvenile court records and adoption records

None

6 years after last case activity or until youngest child is 18 years of age, whichever is later, pursuant to Sec. 19.21(6), Stats.

Family Services
Various State and agency forms containing client-specific identifying data as well as all case-related forms-- narratives, contact sheets, service plans, evaluations (physical, psychological, psychiatric, social service), computer input and output reports, correspondence, legals, etc.

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Solid Waste	1. Daily Cash Receipts Summaries	None	7 years	
	2. Computer Tape of Posting Registers	None	7 years	
	3. Delinquent Customer Billings	None	7 years	
	4. Posting Registers	None	3 years	
	5. Miscellaneous Correspondence Unrelated to Contracts and Regulations of Sanitary Landfills	None	3 years	
	6. Reports of Accounts	None	2 years	

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Receivable

	7.	Scale Tickets	None	Completion and acceptance of audit for calendar year of record
8.	8.	Paid Customer Billings	None	Completion and acceptance of audit for calendar year of record

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Solid Waste (con't)	9. Cash Receipts Register	None	Completion and acceptance of audit for calendar year of record	
Treasurer	1. Real Property Tax and Omitted Property Tax Rolls	Microfiche or film	15 years	59.716(2) & 59.717(2)
	2. Tax Sale Books	Microfiche or film 59.717(2)	15 years	59.716(2) &
	3. Tax Roll Warrants	Microfiche or film 59.717(2)	15 years	59.716(2) &

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4.	Statement of Taxes	Microfiche or film	15 years	59.716(2) & 59.717(2)	
5.	Delinquent Roll ffidavit	Microfiche or film	15 years	59.716(2) & 59.717(2)	(cont.)
6.	Tax Receipts	None	15 years	59.715(16)	
7.	Notice of Application for Taking Tax Deeds	None	15 years	59.715(7)	

SCHEDULE A

<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Treasurer (Con't)	8. Affidavit of Publication of Legal Notices	None	15 years	
	9. Tax Settlement Receipts, Forms, and Worksheets	None	7 years	
	10. Records on Tax Deed Property Sold	None	7 years	
	11. Ledger Cards/Property Tax	None	7 years	

7/5/18

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3

12.	Notices of dvertisement for Bids	None	7 years	59.715(10)
13.	General Receipts	None	7 years	59.715(17)
14.	Treasurer's Cash Book	None	7 years	
15.	General Check Register	None	7 years	
16.	Investment	None	7 years	
17.	Cancelled Checks	None	7 years	59.715(18)
18.	Bank Statement Worksheets and Enclosures	None	7 years	

SCHEDULE A

<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Treasurers (Con't)	19. Non-sufficient Fund Checks	None	7 years	
	20. General Office Correspondence	None	7 years	
	21. All Official Bonds Held by Treasurer	None	6 years	59.715(8)
	22. Cash Drawer Reconciliations	None	4 years	

7/5/18

3(57)

Updated November 2009

3

23.	Cash Control Machine Tapes	None	4 years
24.	Current Real Estate Tax Blotters	None	4 years
25.	Redeemed Real Estate Tax Blotters	None	4 years
26.	Bankruptcy Notifications	None	4 years

SCHEDULE A

<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Treasurer's (Con't)	27. Foreclosure Notifications	None	4 years	
	28. Duplicate Deposit Slips	None	4 years	
	29. Plat Worksheets	None	4 years	
	30. Duplicate Check Vouchers (copies)	None	4 years	
	31. Vouchers on Tax Refunds (copies)	None	4 years	

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3

32.	Annual Reports of Taxes and License Fees Due the State of Wisconsin	None	4 years
33.	Quarterly Probate Fees due the State of Wisconsin	None	4 years
34.	Monthly Suit Tax Report	None	4 years
35.	Unclaimed Trust Funds Placed in General Fund	None	4 years
36.	Monthly Real Estate Transfer Fee Summary	None	4 years

Zoning
Permits

1.	Sanitary Permit	None	Indefinite	Section 59.715 & 59.73 Stats
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SCHEDULE A

<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Zoning Permits (Con't)	2. Land Use Permit	None	Indefinite	Section 59.715 & 59.73 Stats.
	3. Receipt	None	7 years	
	4. EH 115	None	Indefinite	
	5. Expired Permits	None	1 Year	Indefinite
	6. Appeal Hearings	None	Indefinite	
	7. Flood Evaluations	None	1 year	

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3(59)

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Zoning Miscellaneous	8.	Certificate of Flood Proofing	None	Indefinite
	9.	Existing System Inspection Reports	None	Indefinite
	10.	Board of Adjustment Notices	None	Indefinite
	11.	Reject File	None	2 years
	1.	Auditron Reading	None	6 months
	2.	Vacation & Time Card Slips	None	1 year
	3.	News Articles	None	1 year
	4.	Call Sheets	None	1 year

SCHEDULE A

<u>DEPARTMENT</u>	<u>TYPE OF RECORD</u>	<u>METHOD OF PRESERVING</u>	<u>LENGTH OF TIME ORIGINAL TO BE RETAINED</u>	<u>REMARKS</u>
Zoning Miscs. (Con't)	5.	Appointment Book	None	1 year
	6.	DILHR Permit Submittal	None	3 years
	7.	Meetings Correspondence	None	1 year
	8.	Miss. Correspondence In or Outgoing	None	1 year

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3(60)

3

9.	Pumping reports	Computer Disk	Indefinite	
10.	Servicing Contract	None Change	Indefinite	Unless Pumper
11.	CSM	None	1 year	
12.	Sewered CSM	None	1 year	
13.	Sewered CSM in Floodplain-Shoreland	None	Indefinite	
14.	Ledger Sheets	None	Indefinite	
15.	Accident Reports	None	3 years	

7/5/18

3(61)

Updated November 2009

3

Records Management Introduction for State Employees

Requirements and Responsibilities

For More Information:
<http://publicrecordsboard.wi.gov> or
Contact Your Agency Records Officer

WHAT ARE WISCONSIN'S LAWS RELATED TO RECORDS?

- Wis. Stat. § 16.61(2)(b) defines "public records" for the purposes of records retention and disposition
- Wis. Stat. § 19.32(2) defines "records" for purposes of the records access and disclosure provisions of Wis. Stat. §§ 19.31-19.39 (known as the public records law or the open records law)

WHY PUBLIC RECORDS MANAGEMENT?

- Improve effectiveness
- Comply with applicable legal requirements
- Document governmental activities
- Promote transparency in government
- Fulfill obligations to the public
- Minimize litigation risk
- Retrieve information faster
- Simplify decision making

WHAT ARE YOUR PUBLIC RECORDS RESPONSIBILITIES?

- Recognize and manage public records created as part of your job duties
- Protect and save public records you create and use
- File paper and electronic documents so they can be readily accessed (use agency file plan if applicable)
- Maintain confidential and sensitive information appropriately
- Dispose of information that is not a public record
- Retain public records for the appropriate length of time
- Only dispose of public records in accordance with an approved Retention Disposition Authorization (RDA)
- Know where to go for help

WHAT PUBLIC RECORDS MIGHT YOU HAVE?

- Business-related correspondence
- Program-related documentation
- Team, project, committee, or workgroup documentation
- Activity and project reports
- Training materials you have presented
- Work/information requests
- Operating procedures
- Calendars and schedules

Wisconsin Public Records Board (PRB): Protecting the legal, financial and historical interests of the state in public records.

What is a Public Record?

Created in the course of business

Examples: *correspondence and memos (paper and electronic), agreements, studies, reports*

Received for action

Examples: *Information or public records requests, controlled correspondence*

Mandated by statute or regulation

Examples: *statutorily required programs, administrative records, dockets, equal rights complaints*

How Do I Manage My Public Records?

Policies

- Learn your agency's Records Management policies
- Know which retention schedules (GRS or RDA) relate to your program records

Filing

- File public records to allow for easy access over time
- Use your agency's approved filing system

People

- Contact your agency's Records Officer or designated Records Coordinators.

Note: Your agency may only legally dispose of records as approved by an authorized records schedule

What Qualities do Public Records Have?

Document state activities

Examples: *calendars, meeting minutes, project reports*

Support financial obligations or legal claims

Examples: *grants, contracts, litigation case files or audits*

Communicate agency requirements

Examples: *guidance documents, policies, procedures*

What is a Retention/Disposition Schedule?

Retention schedules:

- Group and describe related public records.
- Mandate **how long** public records are kept (retention).
- Mandate **what happens** to public records at the end of that time period (disposition).
- Are promulgated as policy via statewide [General Records Schedule \(GRS\)](#) or agency specific Record Disposition Authorization (RDA)

Where Might Public Records Occur?

Note: Information content determines what constitutes a public record and not the format in which the information is generated.

Email and Voicemail

Social media: Facebook, Twitter, YouTube, etc.

Websites

Videotapes/DVDs

Webcasts/Webinars

Calendars

Documents, spreadsheets, databases

Personal devices if used for agency business

Audio recordings

Maps and blueprints

What is Not a Public Record?

Reference materials and stock copies

Examples: *vendor catalogs, phone books, agency publications, blank forms*

Duplicate copies

Examples: *copies of records (paper or electronic) for convenience or reference purposes only*

Draft or working papers

Examples: *draft documents without substantive comments, rough notes, calculations.*

(It should be noted that some drafts are needed to support a decision trail or are otherwise required by an RDA)

General announcements and unsolicited email (internal or external)

Examples: *reminders received by all staff, listserv messages, spam*

2019 - 2020 LEGISLATURE

2019 ASSEMBLY BILL 513

October 7, 2019 - Introduced by Representatives TUSLER, MCGUIRE, BORN, OTT, BOWEN, EDMING, KURTZ, MURSAU, NEUBAUER, NOVAK, PETRYK, RIEMER, SCHRAA, TITTL, ZAMARRIPA and VRUWINK, cosponsored by Senators WANGGAARD and BERNIER. Referred to Committee on Government Accountability and Oversight.

1 **AN ACT** *to repeal* 978.001 (1p) and 978.11; *to amend* 13.093 (2) (a), 230.33 (1),
2 978.03, 978.045 (1g), 978.045 (1r) (bm) (intro.), 978.045 (2), 978.05 (9) and
3 978.12 (1) (c); and *to create* 13.0967, 15.105 (7), 15.77, 20.548, 20.923 (4) (f) 7x.,
4 20.923 (6) (hs), 230.08 (2) (qp), 978.001 (1b), (1d) and (1n), 978.003, 978.004 and
5 978.005 of the statutes; **relating to:** creation of a prosecutor board and a state
6 prosecutors office and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates an independent prosecutor board that oversees and sets policies for a state prosecutors office, also created in this bill. Under this bill, the executive director of the state prosecutors office manages the office; prepares personnel policies, fiscal estimates, and an annual report; and represents the board before the governor, the legislature, bar associations, and courts. The executive director may also identify methods and practices for district attorneys that promote professional competence and ethical practices. Under this bill, the state prosecutors office assumes duties relating to district attorneys that current law assigns to the Department of Administration, such as preparing a budget for all of the prosecutorial units, approving appointments of special prosecutors when needed, and making requests for assistant district attorneys in certain prosecutorial units.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 13.093 (2) (a) of the statutes is amended to read:

2 13.093 (2) (a) Any bill making an appropriation, any bill increasing or
3 decreasing existing appropriations or state or general local government fiscal
4 liability or revenues, and any bill that modifies an existing surcharge or creates a
5 new surcharge that is imposed under ch. 814, shall, before any vote is taken thereon
6 by either house of the legislature if the bill is not referred to a standing committee,
7 or before any public hearing is held before any standing committee or, if no public
8 hearing is held, before any vote is taken by the committee, incorporate a reliable
9 estimate of the anticipated change in appropriation authority or state or general
10 local government fiscal liability or revenues under the bill, including to the extent
11 possible a projection of such changes in future biennia. The estimate shall also

KURT F. KLOMBERG
DODGE COUNTY DISTRICT ATTORNEY

PRESIDENT-ELECT, WISCONSIN
DISTRICT ATTORNEY'S ASSOCIATION

State Prosecutor's Program

Recent Budget Success

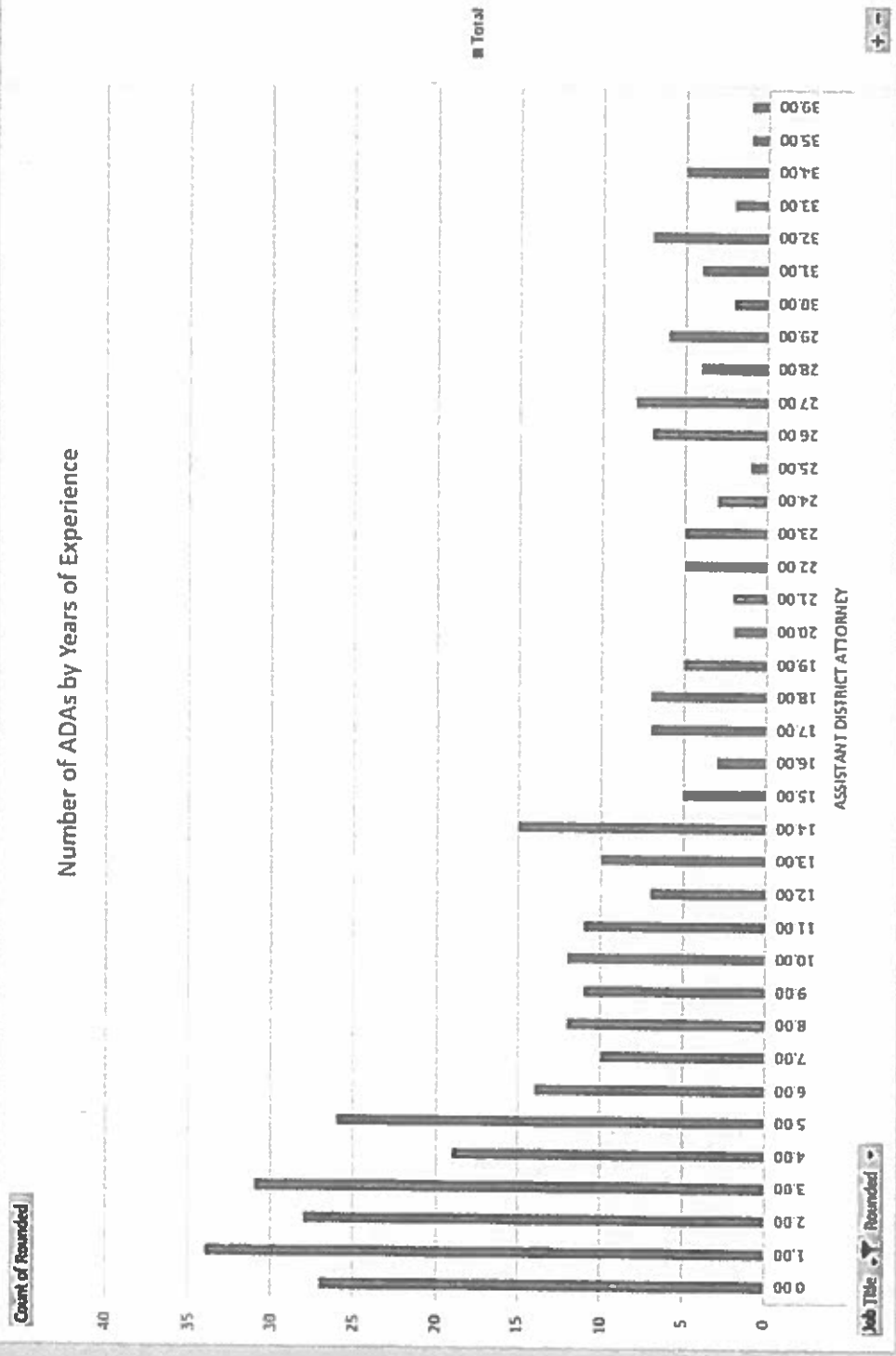
- Approximately 65 new ADA positions State-wide (60 positions)
- Full pay progression for ADA and DDAs (Approximately \$4100 per year merit based progression) - 2 steps.

History of Program

- Prior to 1990 the District Attorney and non-elected prosecutors were County employees (like Sheriff or Clerk of Courts)
- 1990 Became State Employees
 - End raises through migration, which hurt poor and rural counties.
 - Creation of a Statewide metric to determine county-by-county need based on case loads which was to be a benefit to poor and rural counties.

Reality of Anticipated Benefits of State DA's

- Pay progression for the attorneys at first was reasonable, until about 2002.
 - Then pay stagnated
 - Attorneys again began to get raises through migration - migration to the private sector.
 - Young attorneys would come in, get experience and no meaningful wage increases
 - After 10 years of this, the program had a huge doughnut hole with more than 1/3 of prosecutors at 20+ years of experience, and 1/2 with less than 5 years.
 - It has even become difficult to recruit qualified candidates for open Elected DA positions.



Averages of Years of Service by Job and Consequence

- ADA - 10.27
- DDA - 20.21
- DA - 13.12
- 21 New DA's in last election
 - Several that had no prosecution experience
 - A group that had no legal experience
- Vacancies are difficult to fill
 - Gubernatorial appointment calls for applicants have gone for extended periods of time without response - the core of mid-level prosecutors is very small.

Consequences

- Extreme Turnover - [Marathon County Example from 2003-2006]
- Loss of the middle ranks and ultimately lack of senior staff
- Crushing caseloads
- System delays that directly impact victims and costs to counties
- Poor decision making, costing counties - State employees make the decisions and counties pay for them

Positions suffered also

- Between 1990 and 2019 there were no meaningful allocations of new positions.
- In 2003 the program actually cut 15 positions State-wide
- Prior to this State Budget that added the 60 new positions we were more than 140 positions short according to the State's own audit, which was based on that metric developed to identify county-by-county need.

Costs to Counties

- Prosecutors do not have the time to fully evaluate cases prior to charging – poor cases, lack of proof, delays
- Cases that should be won are lost due to inexperience hurting victims
- Abdication of the gate-keeping function of District Attorneys due to inexperience and power differential between police and prosecutors
- County expending large amounts of unnecessary resources
 - Jury expenses
 - Clerk expenses
 - Expert expenses
- County being forced to fund prosecution resources directly.

WDAA Role and Make Up

- WDAA is an all volunteer Board
- Currently made up of 12 members
 - 4 Officers (President, President-Elect, Past President and Secretary Treasurer) who must hold the position of Elected District Attorney
 - 6 general Board members who can be Elected DA, DDA, ADA or full-time Special Prosecutors
 - The president of Association of State Prosecutors or designee
 - The Attorney General or designee
- Everyone is a working prosecutor and work for WDAA takes a second seat to Office responsibilities.

WDAA has been marginally effective

- Prior to this year
 - No meaning full position allocations over the last 3 decades
 - Did accomplish Statutory Pay Progression in 2011
 - But only on a budget-to-budget basis
 - No pay progression or underfunded pay progression for several budgets
 - Some movement in some legislation impacting criminal justice and prosecutors
 - Hearsay prelims
 - Threats and assaults to prosecutors
 - Other minor matters

WDAA Primary Difficulty in Effectiveness

- Lack of time
- Lack of continuity and institutional memory and direction
- Lack of cohesion
- Lack of lasting relationships with Legislators and Governor

The Solution for the DA Program and the Counties it Serves

- The Wisconsin Prosecutor Board/Council
- Independence of the State Prosecutors Office
- Similar to State Public Defender's Board and State Public Defender

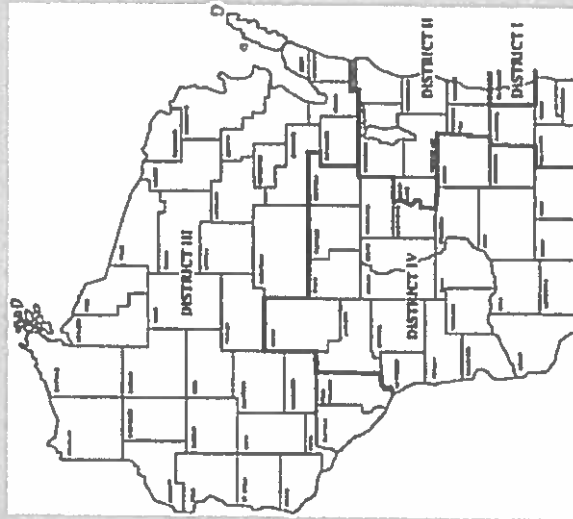
Selection of the 11-member Board

- District Attorney's in each Appeal District would elect two representatives. (4 Districts, 2 members each for 8 members)
- Because Milwaukee is its own District, the DA and one DDA selected by the District Attorney would be District 1's members.
- 2 non-elected prosecutors (DDA's and ADA's) would be elected by a majority of non-elected prosecutors, though they could not come from the same county. (2 members)
- The Attorney General would fill the remaining seat. (1 member)
- Elected positions will be 3-year staggered terms.

Court of Appeals Districts

- District I
- Milwaukee County
- District II
- Calumet, Fond du Lac, Green Lake, Kenosha, Manitowoc, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Winnebago counties
- District III
- Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Chippewa, Door, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Kewaunee, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Pepin, Pierce, Polk, Price, Rusk, Sawyer, Shawano, St. Croix, Taylor, Trempealeau, Vilas, Washburn counties
- District IV
- Adams, Clark, Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jackson, Jefferson, Juneau, La Crosse, Lafayette, Marquette, Monroe, Portage, Richland, Rock, Sauk, Vernon, Waupaca, Waushara, Wood counties

Court of Appeals Districts



Board Responsibilities

- Submit the budget to the Governor for inclusion in the State Budget
- Advise Governor and Legislature on allocation of prosecutor resources
- Oversee the State Prosecutors Office Executive Director
- Set policy initiatives for the Executive Director
- Advise Governor and Legislature on existing law or proposed legislations and make recommendations to the legislature

State Prosecutors Office

- Employees
 - Executive Director
 - Legislative Liaison
 - Executive Assistant
- Duties
 - Prepare all documents, including State Budget, for the Board's approval
 - Carry out directives and policy directions of the Board
 - Administrate allocation of the State Special Prosecutor Fund
 - Administrate the State District Attorney's Program

Current Legislation to Create the Board

- 2019 Assembly Bill 513
 - October 7, 2019 - Introduced by Representatives Tusler, McGuire, Born, Ott, Bowen, Edming, Kurtz, Mursau, Neubauer, Novak, Petryk, Riemer, Schraa, Tittl, Zamarripa and Vruwink, cosponsored by Senators Wanggaard and Bernier.
 - Referred to Committee on Government Accountability and Oversight.
- 2019 Senate Bill 460
 - September 27, 2019 - Introduced by Senators Wanggaard and Bernier, cosponsored by Representatives Tusler, McGuire, Born, Ott, Bowen, Edming, Kurtz, Mursau, Neubauer, Novak, Petryk, Riemer, Schraa, Tittl, Zamarripa and Vruwink.
 - Referred to Committee on Insurance, Financial Services, Government Oversight and Courts.

Counties will be served by the Board

- Under current situation, there is no effective structure to advocate for the District Attorney Program - WDAA is a volunteer group and not able to devote the time and effort needed to promote the program's interests in the long term.
- Without Board, the DA Program will continue to falter and be ignored leaving County Budgets to cover the slack and meet public safety demands.
- Board will be effective in promoting funding and legislation that will directly benefit court operations, District Attorney funding, criminal justice reform, and matters impacting incarceration issues down to the county level.

EXECUTIVE

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600



Troy Streckenbach

PHONE (920) 448-4001 FAX (920) 448-4003

BROWN COUNTY EXECUTIVE

Secretary Michael R. Pompeo
U.S. Department of State
2201 C Street NW
Washington, DC 20520

December 2, 2019

Dear Secretary Pompeo:

This letter is in reference to Executive Order 13888, "*On Enhancing State and Local Involvement in Resettlement.*"

As County Executive of Brown County, Wisconsin, I consent to initial refugee resettlement in Brown County, Wisconsin, as per the terms of the Executive Order.

This consent is valid through 2020, and is limited to accepting up to 20 refugees for resettlement in Brown County, Wisconsin.

Sincerely,

Troy J. Streckenbach
Brown County Executive

CC:
Principal Deputy Assistant Secretary Carol T. O'Connor
Bureau of Population, Refugees, and Migration
U.S. Department of State

Background of Refugee Resettlement and Refugee Services in the U.S., WI, and Brown County

Refugee: A person who has been forced to flee their country due to a well-founded fear of being persecuted because of their race, religion, nationality, membership of a particular social group, or their political opinion – 1951 Refugee Convention.

Refugee Resettlement Process in the United States: The current process of resettling refugees in the U.S. was established by the Refugee Act of 1980. Among other things, the Refugee Act of 1980:

1. Created the Office of Refugee Resettlement, which funds and oversees programs designed to improve the employability, self-sufficiency, and integration of refugees into the United States.
2. Set the ceiling of refugee admissions of each Federal Fiscal year at 50,000, unless a different number is recommended by the President and approved by Congress. This process is referred to as the “Presidential Determination.” The Presidential Determination for FFY 2019 was 30,000 and will be 18,000 in FFY 2020. By comparison, the Presidential Determinations for FFY 2015 and FFY 2016 were 70,000 and 85,000, respectively.

Overseas Background Checks and Screenings: The refugee admissions process is overseen by the U.S. Department of State. To be admitted as a refugee to the United States, a person must first be officially granted “refugee” status by the United Nations, or one of two smaller international organizations. Then, the person must apply for resettlement at one of the nine overseas Refugee Support Centers, contracted by the Department of State. To be approved a refugee must pass multiple rounds of health and security screenings conducted by as many as eight federal entities including the FBI, the Department of Homeland Security, and the National Counterterrorism Center. The application, screening, and background check process typically takes at least two years.

Initial Resettlement Services: Once a refugee is approved to be resettled, their case is assigned to one of nine national Resettlement Agencies (also referred to as Voluntary Agencies, or “Volags”). Each refugee family or individual is then assigned to a local affiliate office somewhere in the U.S. The specific location a refugee is assigned to depends on such things as the presence of relatives or friends already in the U.S., or the presence of a refugee or immigrant community with the same or similar ethnic background to the refugee being resettled.

Local Volag affiliates are responsible for coordinating initial “Reception and Placement” services for all newly arriving refugees. These services include arranging safe and affordable housing, provision of basic household furnishings, coordinating health screenings, providing cultural orientation lessons, enrolling children in school, and referring adults for employment and English language services. All Reception and Placement Services must be provided within the first 30-90 days after the refugee arrives to the U.S.

In addition to these services, refugees are also awarded a one-time stipend of \$900-\$1100 per person. This stipend is typically used to pay for the refugee’s initial rent and security deposit for their first apartment, or for other initial resettlement necessities.

State Services: Additional supportive services are available to refugees through funding provided by the federal Office of Refugee Resettlement (ORR). In Wisconsin, as in most states, ORR funded programs are

overseen by the State Refugee Coordinator. In Wisconsin the State Refugee Coordinator is the Refugee Programs Section Chief, within the Wisconsin Department of Children and Families.

Wisconsin uses ORR funds to contract with over thirty local service providers who offer services to refugees via six separate programs. These programs and services aim to improve outcomes for refugees in such areas as employment, English skills, all aspects of health, K-12 education, citizenship, community integration, youth mentorship, older adult integration, and other social service needs.

In addition to these services, the State of Wisconsin also uses ORR funds to administer cash and medical benefits programs to some refugees. These programs are only available to those refugees who do not qualify for other similar benefits programs (such as W-2 or BadgerCare Plus), and only offer benefits for the first eight months after a refugee arrives to the U.S.

All refugee-specific programs administered by the State of Wisconsin are 100% federally funded. No state or local tax dollars are used in providing these programs.

Work Authorization, Green Cards, and Citizenship: All refugees are fully authorized to work from the first day they arrive in the U.S. From their date of arrival refugees are granted all the same rights as Lawful Permanent Residents (commonly called "Green Card holders") and must apply for Lawful Permanent Resident status (i.e., their "Green Card") one year after arrival. Refugees are encouraged to apply for U.S. citizenship once they have been in the U.S. for at least four and a half years.

Brown County Services and Recent Arrivals: In the city of Green Bay and Brown County, the State of Wisconsin contracts with Forward Service Corporation (FSC) to provide services through the Refugee Support Services (RSS) program. Through RSS, FSC provides employment services, interpretation, translation, health coordination, general case management, and other supportive services to refugees in Brown County. FSC also operates the cash and medical programs for those refugees who are eligible.

The majority of refugees in Brown County were not resettled there directly from overseas. Instead, these refugees were initially resettled someplace else in the U.S., then chose to move to Brown County because of the employment opportunities, affordable lifestyle, and welcoming community that Brown County offers. Refugees that choose to move to a new state after their initial resettlement in the U.S. are commonly referred to as "secondary migrants."

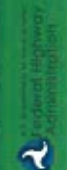
When refugees are resettled directly to the city of Green Bay or Brown County from overseas, Catholic Charities of Green Bay (CCGB) acts as their local "Volag" affiliate. While it is not a full refugee resettlement office, CCGB is contracted by the US Conference of Catholic Bishops, one of the nine national Volags, to operate a "remote placement" program. Remote placement programs resettle refugees near a relative or friend when there is no other local affiliate of a national Volag where the friend or relative lives.

In the last five years an average of 14 refugees have arrived to Brown County directly from overseas.

WIS 29/COUNTY VW overview



WIS 29/COUNTY VV Interchange, Brown County



WisDOT Division of Transportation System
Development
Northeast Region
944 Vanderperren Way
Green Bay, WI 54304

Governor Tony Evers
Secretary Craig Thompson
wisconsin.dot.gov
Telephone: (920)492-5643
FAX: (920)492-5640
Email: ner.dtsd@dot.wi.gov



10/28/2019

Paul Fontecchio
Highway Commissioner
Brown County
2198 Glendale Avenue
Green Bay, WI 54303

9200-10-00/71
Shawano – Green Bay
CTH VV Interchange
Brown/Outagamie County

RE: CTH VV & Overland Road Connection

As the administrating agency for Brown County's BUILD Grant for the STH 29/County VV project, the Wisconsin Department of Transportation is requesting that Brown County takes authority of the roadway connecting County VV and North Overland Road, as shown in the attached. Taking authority of the roadway is to include the following:

- LHE will be in the name of Brown County
- The roadway, which is 2,533 feet from center of roundabout to center of roundabout, become a County roadway

This request is being made to minimize risk to the project, and in an effort to meet the 5/1/2020 PSE for the project. If you have any questions, or would like to discuss further, please feel free to contact me at (920) 492-7718 or by email at daniel.segerstrom@dot.wi.gov

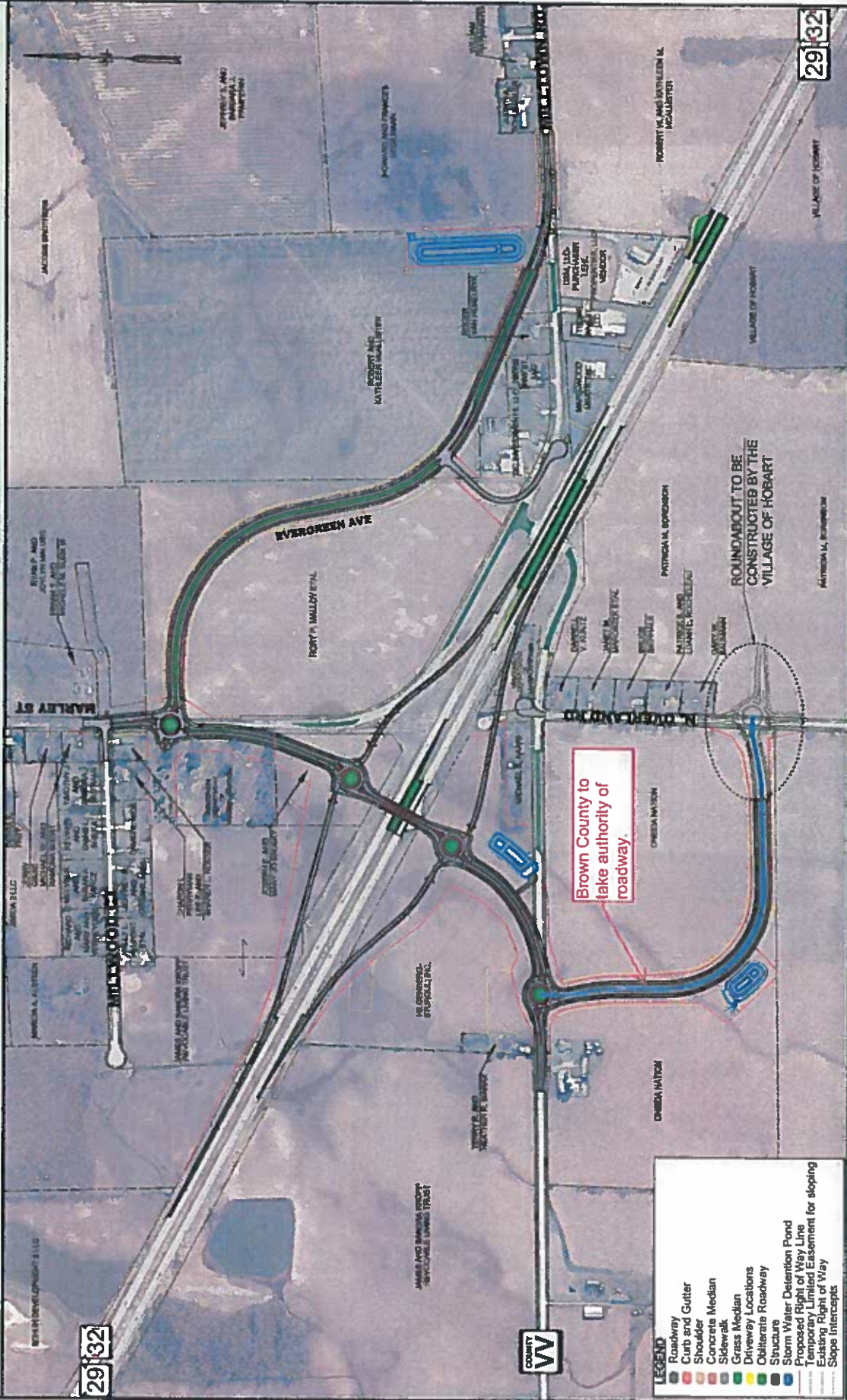
Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel Segerstrom".

Daniel Segerstrom
Project Development Supervisor

Cc: File

WIS 29/COUNTY VV Overview



WIS 29/COUNTY VV Interchange, Brown County

2990 S. Pine Tree Rd.
Hobart, WI 54155
tele: 920-869-3809
fax: 920-869-2048

December 5th 2019

Mr. Paul Fontecchio
2198 Glendale Avenue
Green Bay, WI 54303

Dear Paul:

I am writing this letter with the intent of memorializing our phone conversation of December 3rd relative to the future payment of costs by the Village of Hobart related to the Highway 29-County VV project ("The Project"). For reference purposes, I have included Resolution 2019-11, which was adopted by the Hobart Village Board on November 19th 2019 ("The Resolution").

Pursuant to the Resolution, I am restricted from utilizing any Village funds for acquiring land for the Project unless "the purchase of property for the Highway 29-County VV Interchange...is purchased through a fee-simple acquisition, in its entirety." In order to ensure that the intent of the Resolution is not intentionally or mistakenly disregarded, I am asking that all bills presented to the Village for the Project be itemized to clearly identify the following:

- Acquisition of property for the project, and by what means said land was acquired
- Materials for the construction of the interchange and any appurtenant infrastructure
- Administrative costs relative to the construction and project oversight
- Engineering and design costs
- Any other related costs related to the project

It is my hope that, with the bills being itemized, we will avoid any conflicts in the future relative to the Resolution, or any other financing component of the Project.

Thank you for your attention to this matter, and I look forward to working with you on the Project. If you have any questions about this letter or any other matter related to the Project, please contact me or visit me at your convenience.

Sincerely,



Aaron Kramer
Village Administrator, Hobart, WI

RESOLUTION 2019-11

A RESOLUTION REPEALING RESOLUTION 2019-07 AND RE-AUTHORIZING THE RE-ALLOCATION OF \$1,500,000 IN 2017 BOND PROCEEDS TO THE STATE HIGHWAY 29-COUNTY HIGHWAY VV INTERCHANGE PROJECT FOR, IN PART, THE PURCHASE OF PROPERTY FOR THE PROJECT IN FEE-SIMPLE ACQUISITION

BY THE VILLAGE BOARD OF THE VILLAGE OF HOBART, WISCONSIN:

WHEREAS, the Village of Hobart ("the Village") borrowed \$1,500,000 in 2017 to provide financing for the proposed purchase of land with the repayment of the bond to be made from future revenue of Tax Increment District #1 ("the TID") ; and

WHEREAS, the \$1,500,000 in borrowed funds was a component of a larger debt issuance, approved by the Hobart Village Board of Trustees ("the Village Board") at its July 17th 2017 meeting (Resolution 2017-12 - AUTHORIZING THE ISSUANCE AND SALE OF \$4,065,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2017A) ; and

WHEREAS, the proposed development, pursuant to which the borrowed funds would have been used to purchase land, failed; and

WHEREAS, the proceeds of the \$1,500,000 have not been expended for any other purpose; and

WHEREAS, the Village committed to participating financially in the planning and construction of a new interchange at the State Highway 29 ("STH 29") and County Highway VV ("CTH VV") intersection ("the Interchange Project") at its July 3rd 2018 Board meeting (Resolution 2018-11); and

WHEREAS, the Village's estimated financial contribution to the Interchange project is \$3,213,000, according to the STH 29 & CTH VV Municipal Agreement between Brown County and the Village of Hobart, approved by the Village Board at its May 21st 2019 meeting; and

WHEREAS, the Village Board is committed to fulfilling its financial commitments to the Interchange project in the most economically feasible manner, while, at the same time, containing the costs of those commitments to that portion of the community which most benefits from the Interchange project, namely TID #1; and

WHEREAS, the Village Board unanimously approved, at its July 2nd 2019 meeting, approved Resolution 2019-07, which stated, "that Hobart Village Board of Trustees does re-allocate the \$1,500,000, previously borrowed in 2017 for development and land acquisition, to the funding of the Interchange project, in its entirety, and does hereby direct Village staff to expend those funds to meet the Village's financial obligations to the Interchange project until said funds are entirely expended for that purpose; and "that, in order to ensure that the action above is completed in its entirety, any future re-allocation of the \$1,500,000 in bond proceeds, as described

above, can only be voided or altered in any manner by a future unanimous vote of the Village Board; and

WHEREAS, the Environmental Evaluation of Facilities Development Actions, drafted by the Wisconsin Department of Transportation (DOT), dated May 16th 2019, states that "(t)he proposed project will require the fee-simple acquisition of 66.1 acres of farmland from 10 landowners." (Page 248);

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of Hobart, Brown County, Wisconsin, does hereby repeal Resolution 2011-07 by unanimous affirmation; and

BE IT FURTHER RESOLVED that the Village shall only allocate the funds, as previously described in this resolution for the Village's financial commitments to the Highway 29-County VV Interchange project, for the purchase of property for the Highway 29-County VV Interchange project if said land is purchased through a fee-simple acquisition, in its entirety' and

BE IT FURTHER RESOLVED that any future re-allocation of the \$1,500,000 in bond proceeds, other than described above, can only be voided or altered in any manner by a future unanimous vote of the Village Board.

Adopted this 19th day of November, 2019.

Richard Heidel, Village Board President

Attest:

Mary R. Smith, Village Clerk / Treasurer

Aaron Kramer, Village Administrator

Fontecchio, Paul A.

From: Jerry Lancelle <Jerry@hobart-wi.org>
Sent: Friday, November 1, 2019 1:38 PM
To: Geoff Farr; Fontecchio, Paul A.; Aaron Kramer
Cc: Uitenbroek, Nicholas S.
Subject: RE: STH 29 & CTH VV Interchange Cost Update

Follow Up Flag: Follow up
Flag Status: Flagged

Hobart is also good with the update below

Jerry Lancelle

Director of Public Works
Village of Hobart
920.869.3807

Have you signed up for Hobart's Newsletter? Click [here](#) to sign up for *Hobart Headlines*.

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From: Geoff Farr [mailto:GFarr@villageofhoward.com]
Sent: Friday, November 01, 2019 11:17 AM
To: Fontecchio, Paul A. <Paul.Fontecchio@browncountywi.gov>; Aaron Kramer <aaron@hobart-wi.org>; Jerry Lancelle <Jerry@hobart-wi.org>
Cc: Uitenbroek, Nicholas S. <Nicholas.Uitenbroek@browncountywi.gov>
Subject: RE: STH 29 & CTH VV Interchange Cost Update

All, Based on our previous discussions Howard has budgeted for these costs and is covered as outlined below. Thanks
Geoff

Respectfully,

Geoffrey Farr P.E.
Director of Public Works
1336 Cornell Road
Village of Howard, Wisconsin, 54313
920-434-4060
www.villageofhoward.com



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recipient, you are hereby notified that any disclosure, copying, distribution or use of any information in this message is strictly prohibited. If you have received this message in error please notify me at 920/434-4060 or by reply e-mail. Thank you.

From: Fontecchio, Paul A. <Paul.Fontecchio@browncountywi.gov>
Sent: Friday, November 01, 2019 10:36 AM
To: 'Aaron Kramer' <aaron@hobart-wi.org>; Jerry Lancelle (jerry@hobart-wi.org) <jerry@hobart-wi.org>; Geoff Farr <GFarr@villageofhoward.com>
Cc: Uitenbroek, Nicholas S. <Nicholas.Uitenbroek@browncountywi.gov>
Subject: STH 29 & CTH VV Interchange Cost Update
Importance: High

All –

We received an updated cost estimate for the STH 29 & CTH VV Interchange – see the attached PDF's. Now that the design is further along, the consultant is projecting the attached costs which include both increases and decreases from the original estimates.

I then plugged that information into the spreadsheet I've been using for the municipal cost share (attached) – including the yearly estimated costs. From that I updated the table that was in Section 3.4 of the municipal agreements – see updated table below.

Updated table from Section 3.4 of the Municipal Agreement.

	Due	Howard	Hobart
2019*	Monthly*	\$45,597	\$45,597
2020	5/1/2020	\$605,823	\$605,823
2021	5/1/2021	\$1,385,657	\$1,385,657
2022	5/1/2022	\$1,385,657	\$1,385,657
	Total	\$3,422,735	\$3,422,735

I've also accounted for the revised WisDOT cost share for overruns – up to 50% from the original 25%.

The net is an increase to all parties. At this time, if the municipalities would like to look for ways to reduce costs, we could consider typical section changes to the Village Roads – Evergreen Drive and Centerline Drive – to see what overall project reductions could be gained by going with a slimmed up typical section. If the municipalities are okay with the design and associated costs of the proposed Village Roads, then the new estimated costs are shown in the above table.

As always, please let me know if you have any questions.

Thanks,

Paul Fontecchio, P.E.
Public Works Director / Highway Commissioner

Brown County
Office: (920) 662-2170
Mobile: (920) 334-2198
Paul.Fontecchio@browncountywi.gov
www.co.brown.wi.us

83.025 County trunk highways.

(1)

- (a) The systems of county trunk highways heretofore selected by county boards and approved by the department are hereby validated. Changes may be made in the county trunk system by the county board as provided in this section. The county board in making the changes may order the county highway committee to lay out new highways and acquire the interests necessary by the procedures under s. 83.08. A county board may not make additions to a county trunk system from a city or village street or town road without the consent of the department and of the governing body of the city, village or town in which the proposed addition is located. A county board may not make deletions from a county trunk system without the approval of the department, and, except as provided in this paragraph and par. (d), without the approval of the governing body of the city, village or town in which the proposed deletion is located or, in the case of a proposed deletion affecting more than one city, village or town, without the approval of a majority of the governing bodies of such cities, villages or towns.

December 18, 2019

TO THE HONORABLE CHAIRMAN AND
MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION AUTHORIZING COUNTY TRUNK HIGHWAY
JURISDICTIONAL REVISIONS ON COUNTY HIGHWAY S,
IN THE TOWN OF LAWRENCE, BROWN COUNTY**

WHEREAS, Section 83.025 of the Wisconsin Statutes authorizes the County Board to make changes in the County Trunk Highway System if it deems that the public good is best served thereby, such revisions to the highway system must be with the consent of the Wisconsin Department of Transportation and approval of the governing body of the city, village or town in which the proposed change is located; and

WHEREAS, the Town of Lawrence reconstructed Hickory Road to County Trunk Highway standards during the 2019 construction season; and

WHEREAS, the Town of Lawrence passed a resolution requesting that 0.33 miles of Lawrence Drive from the northbound ramps at I-41 to Hickory Road, and 1.24 miles of Hickory Road from Lawrence Drive to CTH D be added to the County Highway System as an extension of CTH S (see attached Town of Lawrence Resolution 2019-18); and

WHEREAS, the extension of CTH S to CTH D along the aforementioned route is currently classified a rural major collector, which will provide a safe, efficient route from CTH D to I-41 as the area develops. This route was reviewed and determined as being in the best interest of the traveling public.

NOW, THEREFORE, BE IT RESOLVED, that the 0.33 miles of Lawrence Drive from the northbound ramps at I-41 to Hickory Road and the 1.24 miles of Hickory Road from Lawrence Drive to CTH D be added to the County Trunk Highway System; and

3.5 Project Termination

If the Municipality should withdraw from the project, for any reason, it will reimburse the County for any costs incurred by the County on behalf of the project.

4.0 MAINTENANCE RESPONSIBILITIES AND JURISDICTION

4.1 Maintenance

The attached State/Municipal Maintenance Agreement by WisDOT & Brown County is a part of this agreement.

- WisDOT will continue to maintain STH 29, the interchange ramps, and from roundabout to roundabout over STH 29 including the bridge over STH 29.
- The Village of Howard will maintain the new road connecting to Milltown Road and Marley Street.
- ✶ • The Village of Hobart will maintain the new road to North Overland Dr.
- Brown County will maintain CTH VV to the south ramp roundabout.

The following maintenance language refers to CTH VV maintenance:

Section 83.025 of the Wisconsin Statutes governs the maintenance of county highways, specifically:

- 83.025(2) Width of highway maintained by the County includes every way open to the use of the public as a matter of right for the purposes of vehicular travel, including the shoulder. In an urban area this would include the curb and gutter.
- 83.025(2) Maintenance of a county highway through a municipality includes those measures and activities necessary to preserve the highway, as nearly as possible, in the condition of its construction including:
 - Shoulder maintenance
 - Ditch Maintenance
 - Pavement marking
 - Signing
 - Crack sealing
 - Asphalt patching
 - Concrete pavement repair
 - Asphalt resurfacing
 - Curb and gutter repair
 - Emergency repairs of storm sewer manhole and inlet casting/pavement as requested by the municipality to be charged back to the municipality
 - Street sweeping
 - Application of protective coatings (bridges)
 - Guard rail
 - Removal, treatment and sanding/salting of ice
 - Removal and control of snow
 - Interim repair of highway surfaces and adjacent structures
 - Center median mowing (performed only for visibility purposes)
 - Traffic signal operation

Items that are placed at the discretion of the municipality are the responsibility of the municipality to maintain, including:

- Street lighting
- Interim sidewalk repair
- Pavement marking associated with sidewalks (crosswalks)
- Off street bike paths
- Sanitary sewer
- Interim storm sewer repair including manhole and inlet castings
- Water mains
- Other municipal utilities
- Mowing behind the curb line (terrace area)
- Center median mowing (performed for aesthetic purposes)
- Snow and ice removal on sidewalks and/or bike paths
- Roundabout center island landscaping
- Storm water devices (ponds, infiltration areas, etc. – anything other than a ditch)
- Trees, shrubs, and other landscaping behind the curb line (in terrace area)

Neither of these maintenance lists is intended to be 'all inclusive', but, rather to demonstrate measures and activities necessary to preserving a highway defined as that portion of the roadway open to the public as a matter of right for the purposes of vehicular travel, including the shoulder and/or curb and gutter.

4.2 Jurisdiction

Note: Jurisdictional transfers require resolutions from both the Municipality and County Board to become effective. If a roadway is noted to be transferred, it indicates an agreement in principal to pursue the transfer contingent upon both the Municipality and County approving the necessary resolutions.

4.2.1 CTH VV

CTH VV from CTH U to STH 29 will remain under the jurisdiction of the County.

A verbal agreement has been reached by the County, Town of Pittsfield, and the Village of Howard that Marley Street from STH 29 to CTH C will become CTH VV upon completion of an anticipated 2023 reconstruction project that will bring Marley Street up to County highway standards.

- ☐ New County highway segment to be maintained by the County.
- ☒ Existing County highway segment to be maintained by the County (CTH VV from CTH U to STH 29).
- ☒ Existing Municipal street to be jurisdictionally transferred to the County (Marley Street from STH 29 to CTH C) once the roadway is reconstructed – tentatively scheduled for 2023.

Transfer Date: Project Completion 2023

Miles: 0.94 miles

Highway Name: Marley Street

STH 29

CTH C

From

To

- ☐ Existing County highway to be jurisdictionally transferred to the Municipality:

Transfer Date: _____ Miles: _____
Highway Name: _____ From _____ To _____

- ☐ Jurisdictional transfer of other County highways within the Municipality, from the County to the Municipality as listed below:

Street: _____ Miles: _____
Location: _____ Transfer Date: _____

4.2.2 CTH U South of STH 29

CTH U from CTH VV to STH 29 is proposed to be jurisdictionally transferred to the Town of Oneida and Village of Hobart. For this jurisdictional transfer to become effective, all four parties – Town of Oneida, Village of Hobart, Outagamie County and Brown County will need to agree to the transfer. If for any reason one or more of the parties will not agree to the transfer, then CTH U will remain CTH U under Brown County's maintenance, and a cul-de-sac will be constructed on the south side of STH 29.

- ☐ New County highway segment to be maintained by the County.
- ☒ Existing County highway segment to be maintained by the County (if no jurisdictional transfer is agreed upon).
- ☐ Existing Municipal street to be jurisdictionally transferred to the County:

Transfer Date: _____ Miles: _____
Highway Name: _____ From _____ To _____

- ☒ Existing County highway to be jurisdictionally transferred to the Municipality (if the proposed jurisdictional transfer is agreed upon):

Transfer Date: Project Completion 2022 Miles: 0.59 miles
Highway Name: CTH U CTH VV Old Hwy 29 Road
From To

- ☐ Jurisdictional transfer of other County highways within the Municipality, from the County to the Municipality as listed below:

Street: _____ Miles: _____
Location: _____ Transfer Date: _____

4.2.3 CTH U North of STH 29

CTH U from STH 29 to Glendale Ave. will be obliterated as part of the project. CTH U from Glendale Avenue to CTH C is proposed to become a Town of Pittsfield town road. A verbal agreement has been reached by the County and the Town of Pittsfield that CTH U from Glendale Avenue to CTH C will become a town road upon completion of an anticipated 2023 reconstruction project that will bring Marley Street up to County highway standards.

- ☐ New County highway segment to be maintained by the County.
- ☐ Existing County highway segment to be maintained by the County.
- ☐ Existing Municipal street to be jurisdictionally transferred to the County:

Transfer Date: _____ Miles: _____
Highway Name: _____ From _____ To _____

- ☒ Existing County highway to be jurisdictionally transferred to the Municipality:

Transfer Date: Project Completion 2023 Miles: 2.97 miles
Highway Name: CTH U Glendale Avenue CTH C
From _____ To _____

- ☐ Jurisdictional transfer of other County highways within the Municipality, from the County to the Municipality as listed below:

Street: _____ Miles: _____
Location: _____ Transfer Date: _____

5.0 AUTHORIZATION

This request is made by the undersigned proper authority to make such request for the designated Municipality, and upon acceptance by the County, shall constitute agreement between the Municipality and the County.

FOR THE MUNICIPALITY:


Name & Title Aaron Kramer, Village Administrator

5-21-19
Date

FOR THE COUNTY:


Paul Fontecchio, Director
Brown County Public Works Department

6/20/19
Date

From: Aaron Kramer aaron@hobart-wi.org
Subject: RE: PAUL LETTER
Date: Dec 9, 2019 at 1:20:50 PM
To: Dave Landwehr bcslandwehr@yahoo.com

Hobart is not supportive of the creation of Highway TS, especially without the following being included in any final draft of and negotiations for the easement for the road:

- (1) The right to install all utilities Hobart may later deem necessary including, but not limited to, sanitary sewer, water, storm sewer, gas lines, and fiber optics;
- (2) Prohibiting the transfer of jurisdictional authority for storm water management to the Oneida Tribe of those portions of the storm water system not located on their property;
- (3) A waiver of sovereign immunity from the grantor in favor of Hobart, to ensure the ability to enforce; and
- (4) For Hobart to be allowed to participate in or at least be informed about the negotiations relating to the easement.

At a bare minimum, I would request that the County not make any decisions relative to the future of County Highway TS until it has discussed the issue directly with the Hobart Village Board. What is being proposed unilaterally with County Highway TS is inconsistent with what was originally agreed to and how the documents were written in establishing our joint cooperation on this project.

December 18, 2019

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION TO RATIFY THE 2020-2021 AGREEMENT BETWEEN BROWN
COUNTY AND SHERIFF'S DEPARTMENT NON-SUPERVISORY EMPLOYEES**

WHEREAS, negotiations were undertaken by and between the County of Brown (County) and the Brown County Sheriff's Department Non-Supervisory Employees Labor Association, regarding the terms and conditions of the current *Agreement Between Brown County and the Brown County Sheriff's Department Non-Supervisory Employees 2017-2019* ('2017-2019 Agreement'); and

WHEREAS, said negotiations resulted in negotiated changes to the terms and conditions of the current 2017-2019 Agreement, and in a proposed *Agreement Between Brown County and the Brown County Sheriff's Department Non-Supervisory Employees 2020-2021* ('2020-2021 Agreement' – copy attached) for which Board of Supervisors approval now is sought.

NOW THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby approves of and desires to ratify the 2020-2021 Agreement (copy attached), and hereby authorizes and directs the County Executive and the County Clerk to execute the 2020 to 2021 Agreement on behalf of Brown County, with an effective date of 01-01-2020.

Fiscal Note: This resolution does not require an appropriation from the General Fund. The resolution authorizes an increase of \$302,597 in 2020 and \$308,649 in 2021. Funds for the 2020 increase is within the 2020 budget.

Respectfully submitted,

EXECUTIVE COMMITTEE

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE

Date Signed: _____

19-

Authored by Corporation Counsel

Approved by Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSEN	18				
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENNEN	23				
SCHADEWALD	24				
LUND	25				
DENEYS	26				

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

CORPORATION COUNSEL

Brown County

305 EAST WALNUT STREET
P.O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600



David P. Hemery
Corporation Counsel

PHONE: (920) 448-4006
FAX: (920) 448-4003
EMAIL: David.Hemery@co.brown.wi.us

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 12-09-2019
REQUEST TO: Executive Committee
MEETING DATE: 12-09-2019
REQUEST FROM: Dave Hemery
Corp Counsel

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION TO RATIFY THE 2020-2021 AGREEMENT BETWEEN BROWN COUNTY AND
SHERIFF'S DEPARTMENT NON-SUPERVISORY EMPLOYEES

ISSUE/BACKGROUND INFORMATION:

Revised Agreement

ACTION REQUESTED:

Consideration and action

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact?
2. Is it currently budgeted? ☒ Yes ☐ No ☐ N/A (if \$0 fiscal impact)
 - a. If yes, in which account? This resolution does not require an appropriation from the General Fund. The resolution authorizes an increase of \$302,597 in 2020 and \$308,649 in 2021. Funds for the 2020 increase is within the 2020 budget.
 - b. If no, how will the impact be funded? _____
 - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

18

December 18, 2019

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION TO RATIFY THE 2020-2021 AGREEMENT BETWEEN BROWN
COUNTY AND SHERIFF'S DEPARTMENT SUPERVISORY EMPLOYEES**

WHEREAS, negotiations were undertaken by and between the County of Brown (County) and the Brown County Sheriff's Department Supervisory Employees, regarding the terms and conditions of the current *Agreement Between Brown County and the Brown County Sheriff's Department Supervisory Employees 2017-2019* ('2017-2019 Agreement'); and

WHEREAS, said negotiations resulted in negotiated changes to the terms and conditions of the current 2017-2019 Agreement, and in a proposed *Agreement Between Brown County and the Brown County Sheriff's Department Supervisory Employees 2020-2021* ('2020-2021 Agreement') for which Board of Supervisors approval now is sought; and

WHEREAS, only two changes were made to the 2017-2019 Agreement, as follows: 1) the 2017-2019 Agreement shall now run from 2020-2021; and 2) there will be a 2.0% wage increase for 2020, effective 01-01-2020, and a 2.0% wage increase for 2021, effective 01-01-2021.

NOW THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby approves of and desires to ratify the proposed 2020-2021 Agreement, including the two changes described above, and hereby authorizes and directs the County Executive and the County Clerk to execute the 2020-2021 Agreement on behalf of Brown County, with an effective date of 01-01-2020.

Fiscal Note: This resolution does not require an appropriation from the General Fund. The resolution authorizes an increase of \$67,194 in 2020 and \$68,538 in 2021. Funds for the 2020 increase is within the 2020 budget.

Respectfully submitted,

EXECUTIVE COMMITTEE

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE

Date Signed: _____

19-

Authored by Corporation Counsel

Approved by Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEESE	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSEN	18				
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENEN	23				
SCHADEWALD	24				
LUND	25				
DENEYS	26				

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

CORPORATION COUNSEL

Brown County

305 EAST WALNUT STREET
P.O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600



David P. Hemery
Corporation Counsel

PHONE: (920) 448-4006
FAX: (920) 448-4003
EMAIL: David.Hemery@co.brown.wi.us

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 12-09-2019
REQUEST TO: Executive Committee
MEETING DATE: 12-09-2019
REQUEST FROM: Dave Hemery
Corp Counsel

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION TO RATIFY THE 2020-2021 AGREEMENT BETWEEN BROWN COUNTY AND
SHERIFF'S DEPARTMENT SUPERVISORY EMPLOYEES

ISSUE/BACKGROUND INFORMATION:

Revised Agreement

ACTION REQUESTED:

Consideration and action

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact?
2. Is it currently budgeted? ☒ Yes ☐ No ☐ N/A (if \$0 fiscal impact)
 - a. If yes, in which account? This resolution does not require an appropriation from the General Fund. The resolution authorizes an increase of \$67,194 in 2020 and \$68,538 in 2021. Funds for the 2020 increase is within the 2020 budget.
 - b. If no, how will the impact be funded? _____
 - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED